

State of Ohio Environmental Protection Agency

Northeast District Office

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Ted Strickland, Governor
Lee Fisher, Lieutenant Governor
Chris Korleski, Director

September 27, 2007

RE: WAYNE COUNTY
MT. EATON LANDFILL
NPDES 3IN00337

Mr. Steve Viny
Norton Environmental
6200 Rockside Woods Blvd.
Independence, OH 44131

Dear Mr. Viny:

On September 6, 2007, this writer met with Mr. Dave Matthews of Norton Environmental and Mr. Tom Kovacic of URS at the above referenced facility to conduct a pre-permit inspection of the landfill sedimentation ponds used to treat storm water and the stockpile area. The intent of the inspection was to evaluate operations and maintenance of the treatment system prior to drafting the next National Pollutant Discharge Elimination System (NPDES) permit.

Prior to the inspection, it was noted that sampling data for Form 2F and updated sampling data for Form 2C of the permit were not completed because a qualifying discharge had yet to occur from each of the ponds. As such, the permit application is incomplete. Please be aware, the NPDES permit will not be renewed until the updated sampling data is submitted. The progress of the Storm Water Pollution Prevention Plan (SW3P) was also discussed and it was decided that the SW3P would be finalized once a response was received from the U.S. Army Corps of Engineers regarding the potential stream disturbance at the stockpile site.

Upon further review of your Monthly Operating Reports (MOR), it appears your facility has been using reporting code AL (no discharge during the month) for flow during the past two years. By reporting AL on your MOR, you are stating that there were no discharges from any of the ponds every day of the month. Please confirm this information by submitting a written statement to this office regarding the lack of a discharge from each of these ponds over the past two years.

The inspection of the storm water ponds and stockpile area revealed the following:

Pond 1 (outfall 001)

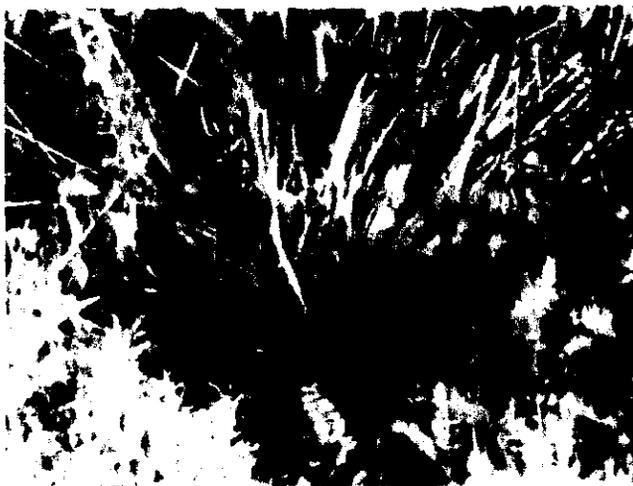
Pond 1 is located on the northwest corner of the closed cell of the landfill, north of the office. At the time of the inspection, pond 1 was silted in, full of vegetation and the rip rap located at the outfall was eroded. You indicated the pond is scheduled to be cleaned this fall. The pond outfall was severely eroded as can be seen in the picture below. The rip rap has been washed down the slope which indicates the pond was most likely discharging a significant amount of water. The outfall must be stabilized with rip rap or other equivalent and the pond must be cleaned out.

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Pond 2 (outfall 002)

Pond 2 is located on the southwest corner of the closed cell of the landfill. Erosion on the slope located to the north of the pond appeared to be a potential problem. You indicated the slope erosion would be stabilized this fall. The pond was heavily silted in and full of vegetation around the banks. The pond outlet pipe had vegetation growing out of it as can be seen in the below picture. This would indicate silt has built up in the pipe enough to support vegetative growth. The pond and outlet must be cleaned out immediately. According to you, this pond has not discharged recently. After inspecting the outlet pipe's condition, it seems highly unlikely that the outlet would support much flow. As such, the pond and outlet pipe must be cleaned out immediately.



Pond 3 (outfall 003)

Pond 3 is located on the southeast corner of the landfill. According to our records, the pond's original design capacity was somewhat oversized. The condition of the pond at the time of the inspection was poor.

The capacity is severely diminished due to the amount of silt and vegetative growth present (see picture below). It is apparent the pond has never been cleaned since it was installed approximately 5 years ago.



The outlet pipe was covered with vegetation and is nearly blocked as can be seen in the picture below. This could potentially prevent the pond from discharging and cause it to overflow its banks. The outlet structure must be cleared out immediately and the pond must be cleaned out.



Pond 4 (outfall 004)

Pond 4 is located on the northeast corner of the landfill, north of pond 3. This is the newest pond and was in the best condition. The pond appeared to have a good amount of capacity left. The pond is south of the C&D site and south of the old pond 4. The old pond 4 retains the storm water from the C&D site which is then pumped to a ditch which discharges the storm water to the new pond 4. Upon inspection, it appeared the outlet may be near the emergency overflow. The outfall is located on a steep slope which does not contain any rip rap and is suffering from the effects of erosion (see picture below). As can be seen in the picture, the slope is being washed away which indicates the pond was most likely discharging a significant amount of water. The slope needs to be stabilized to prevent further erosion and to maintain the proper function of the pond outfall. Some possible stabilization options were discussed during the site inspection. As a reminder, any changes to your outfall design must first be approved through our office and must be reflected in your SW3P.

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Stockpile Area

The inspection of the stockpile area concentrated on the stabilization of the inactive areas, steep slope issues and the possible disturbance of a stream located on the southwest side of the stockpile. As we discussed during the inspection, Jean Siedel of the Army Corps of Engineers must be contacted to review the site for any potential stream disturbances and the possible removal of material that slid into the stream. Mr. Kovacic indicated he left a message for Ms. Siedel on September 7, 2007. On September 13, 2007, this office contacted Ms. Siedel and, during our phone conversation, she indicated the site would have to be reviewed again because the Army Corps rules changed this past summer and may affect the site. A response from Ms. Siedel is expected the first week of October 2007.

Upon further discussion with Dan Bogoevski of this office, it has been decided that the first two items of our December 28, 2005 letter (copy enclosed) are still being considered deficiencies and the last items of the letter are pending the information we receive from the Army Corps.

In regards to the deficient items, the stabilization of the stockpile and installation of sediment controls must be completed immediately. The current weather conditions are such that permanent vegetation can be established. As noted in the December 2005 letter, all inactive faces of the stockpile are required to be stabilized. Inactive faces are any areas of the stockpile where soil is not added, removed or regraded in any given 21-day time period. The stockpile runoff is currently being directed through erosion channels created from the runoff which then sends the runoff to a creek located at the base of the pile. The only acceptable means of sediment control would be through the establishment of a system of diversions to collect this runoff and direct it to a series of sediment ponds.

As a reminder, the stockpile and all associated BMP's must be included in your updated SW3P. While we stand by our recommendation to hold off updating the SW3P until further information is received from the Army Corps, this should not impede you from working on the above noted deficiencies. We expect this work to be completed as soon as possible.

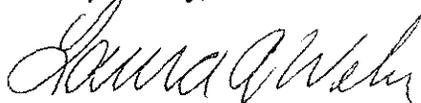
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The current NPDES permit for your facility will expire on December 31, 2007. The renewal NPDES permit for this facility will be drafted once the updated sampling data for Form 2C and Form 2F is submitted. If your permit expires prior to the sampling data being submitted, your facility will be operating without an NPDES permit which is a violation of Chapter 6111 of the Ohio Revised Code and subject to further enforcement action.

Once the draft permit is completed, you will have 30 days from the date of the public notice to submit comments to Ohio EPA regarding the draft permit. In the event the SW3P is not completed by the time the draft permit is completed, this office will include a compliance schedule in the draft permit which will provide a designated timeframe for the completion and acceptance of the SW3P.

Should you have any comments or questions regarding this letter, please contact this office at (330) 963-1299.

Respectfully,



Laura A. Weber, P.E.
Environmental Engineer
Division of Surface Water

LAW/mt

cc: Dave Matthews, Norton Environmental
Mt. Eaton Sanitary Landfill
Thomas Kovacic, P.E., URS Corporation
Michael Stepic, P.E. URS Corporation
Ken Ing, Wayne County Health Department
Matthew Smith, Wayne County Soil and Water District
Jean Siedel, US Army Corps of Engineers, Huntington District

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File: Industrial/Mt. Eaton Landfill/Permit Compliance