Ohio | Environmental Protection Agency
John R. Kasich, Governor
Mary Taylor, Lt. Governor
Scott J. Nally, Director

JULY 31, 2012

Ms. Marlene P. Wheaton, Vice President
Central Waste, Inc.
c/o Mr. Warren A. Usatine, Cole, Schotz, Meisel, Forman & Leonard
Court Plaza North
25 Main Street
P.O. Box 800
Hackensack, New Jersey 07602-0800

Mr. Warren A. Usatine, Attorney for Debtor
Cole, Schotz, Meisel, Forman & Leonard
Court Plaza North
25 Main Street
P.O. Box 800
Hackensack, New Jersey 07602-0800

Mr. Jonathan Kohn, Trustee
Rothbard, Rothbard, Kohn & Keller
Robert Treat Center
50 Park Place, Suite 1228
Newark, New Jersey 07102-4397

Central Waste, Inc.
12003 Oyster Road
Alliance, Ohio 44601

**RE: Notice of Violation**
**Central Waste, Inc.**
**Mahoning County**

Dear Madams/Sirs:

On May 2, 2012, Mario Caputo, Assistant Corporate Controller of TransLoad America Inc., parent company of Central Waste, Inc., was informed that the closure and post-closure care cost estimates for Central Waste Inc. were approved by Ohio EPA. The cost estimates that were approved are $5,997,250.00 for closure and $8,046,127.00 for post-closure care. In addition, since the cost estimates were now approved, the financial assurance was to be updated accordingly.

In accordance with Ohio Administrative Code ("OAC") Rules 3745-27-15(H)(7) and 3745-27-16(H)(7), whenever the current final closure and post-closure care cost estimates increase to an amount greater than the penal sum of the bond, the owner or operator shall, not later than sixty days after the increase in the estimates, either cause the penal sum of the bond to be increased to an amount at least equal to the current final closure and post-closure care cost estimates and submit evidence of such increase to the director, and into the operating recorded in accordance

with rule 3745-27-09 of the Administrative Code, if applicable, or obtain alternate financial assurance, as specified in this rule, to compensate for the increase.

Central Waste, Inc. has failed to increase the amount of financial assurance to cover the costs of closure and post-closure care and submit evidence of the increase to the Director of Ohio EPA. Therefore, Central Waste, Inc. is in violation of the final closure and post-closure care financial assurance rules, OAC Rules 3745-27-15 and 3745-27-16.

Central Waste, Inc. remains in violation of OAC Rules 3745-27-15 and 3745-27-16 until the penal sum of the surety bond is increased to an amount at least equal to the current final closure and post-closure care cost estimates and this documentation is submitted to the Director of Ohio EPA or alternate financial assurance has been established and submitted to the Director of Ohio EPA to compensate for the increase.

Central Waste, Inc. needs to immediately take the necessary measures to return to compliance with Ohio's environmental laws. Within 14 days of receipt of this letter, Central Waste, Inc. is requested to provide documentation to this office including the steps taken to abate the violations cited above. Documentation of steps taken to return to compliance includes written correspondence, updated policies, and photographs, as appropriate, and may be submitted via the postal service or electronically to fanny.haritos@epa.ohio.gov.

Please be advised that violations cited above will continue until the violations have been properly abated. Failure to comply with Chapter 3734. of the Ohio Revised Code and rules promulgated thereunder may result in a civil penalty of up to $10,000 per day for each violation. It is imperative that you return to compliance. If circumstances delay the abatement of violations, Central Waste, Inc. is requested to submit written correspondence of the steps that will be taken by date certain to attain compliance.

If you have any questions, please contact me by telephone at (614) 728-5343 or by e-mail at fanny.haritos@epa.ohio.gov.

Sincerely,

Fanny Haritos
Financial Assurance and Remediation Unit
Division of Materials and Waste Management

FH/jm

cc: Katharina Snyder, DMWM, NEDO
Mary Helen Smith, Mahoning County Health Department