



**Environmental
Protection Agency**

John R. Kasich, Governor
Mary Taylor, Lt. Governor
Scott J. Nally, Director

September 12, 2012

**BELMONT COUNTY
COMP – RIVER VALLEY COMPOST
NOV**

Mr. Stanley Kaldor
61280 Ray Ramsey Road
Jacobsburg, Ohio 43933

RE: Notice of Violation

Dear Mr. Kaldor:

On August 7, 2012, Rich Fox and Joe Goicochea and I conducted an inspection of River Valley Compost (“the Facility”). During our visit, we inspected the Facility and daily logs. We discussed the new composting rules that took effect on April 2, 2012, and your sampling requirements as a Class II compost facility.

We reviewed the daily logs and all daily logs were in order at the time of inspection. New daily log forms were provided to operators during the compost rule training held April of 2012. Please replace your old daily log form with the new forms and contact me with any questions you have concerning the new forms.

Over the last year the Facility boundary has changed since the Facility was first established. The Facility is required to provide a plan view drawing. See OAC Rule 3745-560-200 for details on how to draw your Facility boundary. Also, make sure to include all buildings/ structures utilized in the compost process.

During the course of my inspection, the following violations were observed:

OAC Rule	Violation
<p>OAC Rule 3745-560-210(A) provides that “The owner or operator shall operate the facility in accordance with applicable authorizing document.” OAC Rule 3745-560-200 requires that a registration application include a plan view drawing that includes the elements set forth in OAC Rule 3745-560-200(C)(2), which includes the boundary lines for the compost facility. Pursuant to OAC Rule 3745-500-02(C)(1) “Compost facility’ means a site, location, tract of land, installation, or building used for composting of solid waste in accordance with Chapter 3734. of the Revised Code and rules adopted thereunder. The</p>	<p>The operator Stanley Kaldor dba as River Valley Compost is in violation of OAC Rule 3745-560-210(A) and OAC Rule 3745-560-200 (C)(2) because the operator is not operating the facility in compliance with the registration submitted on September 28, 2011 since the operator moved the composting operations, including the areas where the feedstocks are stored to a location that is beyond the boundary of the compost facility as depicted in the plan view drawing submitted on February 1, 2010. (Specifically, I observed feedstocks stored in structures that are not depicted within the facility boundary on the current plan view drawing.</p>

<p>composting facility includes the area of materials placement and any leachate management system structures.”</p>	<p>To correct this violation please update the plan view drawing to depict all actual areas used for composting, including the areas of materials placement, where feedstocks are accepted, stored or processed, and any leachate management structures. See 3745-560-200(C)(2) for facility plan view drawing requirements.</p>
<p>OAC Rule 3745-560-210(K) provides that: The owner or operator shall post signs with letters not less than three inches in height at the composting facility including the receiving and distribution areas. The owner or operator shall post signs at the entrance of the composting facility that includes the statement. The sign shall state: “This composting facility only accepts yard waste, agricultural waste, animal waste, and food scraps, and will not accept hazardous wastes, infectious wastes, asbestos, batteries, or other prohibited materials.”</p>	<p>The operator Stanley Kaldor dba as River Valley Compost is in violation of OAC Rule 3745-560-210(K) because as I observed there is currently no visible signage at the facility which states: “This composting facility only accepts yard waste, agricultural waste, animal waste, and food scraps, and will not accept hazardous wastes, infectious wastes, asbestos, batteries, or other prohibited materials.”</p> <p>To correct this violation please post a sign in a location visible to persons dropping off feedstocks and picking up compost product. The sign should state: “This composting facility only accepts yard waste, agricultural waste, animal waste, and food scraps, and will not accept hazardous wastes, infectious wastes, asbestos, batteries, or other prohibited materials.” As applicable state the feedstocks accepted by your facility (yard waste, agricultural waste, animal waste, and food scraps) but if there is an authorized feedstock that you do not accept, then you could leave that item off. Of course all of the materials prohibited must be listed, as follows. “and will not accept hazardous wastes, infectious wastes, asbestos, batteries, or other prohibited materials.”</p>

OAC Rule 3745-560-210(M) requires the operator to “Control surface water runoff and runoff, and prevent ponding and erosion and minimize the impact to surface water and ground water.” I remain concerned about the appropriate management of ponding at the River Valley Compost Facility. The operator shall manage the conditions that create ponding, and either reintroduce leachate into the compost process, or otherwise properly manage leachate to prevent ponding in accordance with the composting regulations and as necessary by removing leachate to a licensed wastewater treatment plant.

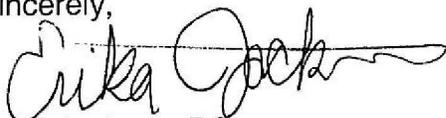
The following is a reminder of important rule requirements. OAC Rule 3745-560-220(A)(1) regarding compost production distribution provides that an owner or operator shall only distribute compost that has been sampled in accordance with rule 3745-560-225 of the administrative code and meets compost quality standards of rule 3745-560-230 of the administrative code. As we explained to you, prior to distribution, all compost products shall be sampled per the requirements found in the Ohio Administrative Code (OAC) Rule 3745-560-225. This means if you distribute 60 to 80 cubic yards of compost product, your sample should reflect the 60 to 80 cubic yards of compost quality product that has been distributed. The compost is not finished compost product until it meets product quality standards found in OAC Rule 3745-560-230.

Within fourteen (14) days of receipt of this letter, River Valley Compost is requested to provide documentation to this office verifying abatement of the aforementioned violations. Failure to redress listed violations and respond within this timeframe may result in escalated enforcement against River Valley Compost for violation of Chapter 3734. (or 3714.) of the Ohio Revised Code, which carries a civil penalty of up to \$10,000 per day for each violation. Documentation of steps taken to return to compliance includes written correspondence, updated policies, and photographs, as appropriate, and may be submitted electronically to erika.jackson@epa.ohio.gov. If River Valley Compost is unable to return to compliance within the fourteen (14) day timeframe, please contact Erika Jackson with Ohio EPA Southeast District Office.

Nothing in this letter shall be construed to authorize any waiver from the requirements of any applicable state or federal laws or regulations. This letter shall not be interpreted to release the owner or operator, or others, from responsibility under Chapters 3704, 3714, 3734, or 6111 of the Ohio Revised Code or under the Federal Clean Water Act, Resource Conservation and Recovery Act, or Comprehensive Environmental Response, Compensation, and Liability Act for remedying conditions resulting from any release of contaminants to the environment.

If you have any questions, please contact me at (740) 380-5228.

Sincerely,



Erika Jackson, RS
Environmental Specialist II
Division of Materials and Waste Management

EJ/cb

cc: Janine Maney, Legal