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

September 27, 2012

RE: NOBLE COUNTY
FAC- CROCK C&DD

Mr. Ed Crock
Crock C&DD Landfill
17990 State Route 78
Caldwell, Ohio 43724

Dear Mr. Crock:

On August 29, 2012, and again on September 5, 2012, I conducted inspections of the Crock C&DD Landfill. I was accompanied by Jim Warren of the Noble County Health Department on August 29 and by Steve Rine of Ohio EPA on September 5.

During these inspections, I observed an area just past the entrance and to the right where a significant amount of clean hard fill consisting mostly of concrete has been placed. Much of this material that was documented on my previous inspection has been removed. However, a vertical cliff still exists at this location. In addition, a small leachate seep was observed at the toe of this material. Workers were applying grass seed on August 29. Seed and mulch had been applied to the area where a slip or slope failure had previously been repaired at the toe of waste placement. I also noted the placement of a sign delineating the unloading zone since my previous inspection. Two cones marking the limits of the unloading zone were also observed. Although much of the area has been adequately covered with soil, large portions of the eastern area of waste placement are not adequately covered and have significant amounts of exposed waste.

As a result of observations made during this inspection, the following violations have occurred at Crock C&DD Landfill:

Operating License-Special Terms & Conditions

Special terms and conditions were included in the 2007 License issued to the Crock C&D Landfill by the Noble County Health Department. The Crock facility is in violation of the following special terms and conditions of the 2007 license:

5. Within 60 days of issuance of this license, licensee shall submit a written report to the Noble County Health Department and Ohio EPA detailing actions taken to achieve compliance with conditions 1, 2, 3, and 4 above.

All required activities in Condition #5 were to be completed no later than February 28, 2007. A report was to be submitted to the Noble County Health Department and Ohio EPA. To date, Ohio EPA has not received this report.

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October 29, 1999 Director's Orders-

Section V. 3. b.- Respondent shall perform the work described in Attachment A in conformance with the specifications and schedules contained therein.

Violations of Attachment A include the following:

Section II. A.- Upon completion of the Cap System, except as otherwise provided in these Orders, the Flood Debris Disposal Unit shall not be disturbed without prior approval of Ohio EPA in accordance with ORC Section 3734.02(H) and OAC Rule 3745-27-13.

A review of Tim Linn's survey dated January 13, 2000, and the September 30, 2009 survey submitted by Jamie Hendershot indicates a significant portion of the solid waste Flood Debris Unit has been covered by C&DD waste in violation of these Orders. This waste must be removed for proper disposal and the solid waste cap must be repaired or reconstructed.

Section II. E.- Within 180 days of the effective date of these Orders, Respondent shall execute and fund a post closure care financial assurance instrument meeting the requirements of OAC Rules 3745-27-16 and 3745-27-17. The post closure care financial assurance instrument shall contain an itemized written estimate, in current dollars, of the cost of post closure care of the Flood Debris Disposal Unit for a period of no less than 30 years. The estimate shall be based on a third party conducting the post closure care activities. The post closure care financial assurance instrument shall, at a minimum, be reviewed and adjusted annually in accordance with OAC Rule 3745-27-16(D).

To date, Ohio EPA has not received any documentation that a proper post-closure care financial assurance instrument has been executed.

Additional violations of OAC Rules include:

OAC Rule 3745-400-11 (B) (1)- The owner or operator shall conduct all operations at the facility in strict compliance with the license, any orders, and other authorizing documents issued in accordance with Chapter 3714 of the Revised Code.

The facility is filled above the currently approved vertical limits of waste placement. This is documented in the survey provided by your engineer, Jamie Hendershot dated September 30, 2009.

I received a copy of the plan drawings prepared by Hendershot Land Surveying during this inspection.

OAC Rule 3745-400-11 (B) (2)- The owner or operator shall dispose of construction and demolition debris only within the active licensed disposal area.

A significant amount of waste has been disposed outside the previously licensed limits of your facility in violation of this OAC Rule. A large amount of waste has been placed just outside the entry to the facility. You have been segregating out dimensional lumber for recycling into mulch. However, much of the waste material is not being recycled and is being accumulated and is illegally disposed. In addition, piles of solid waste and C&DD have been dumped in a field and over the hillside to the northwest of the facility.

OAC Rule 3745-400-11 (H)(1)- Fire prevention. The owner or operator shall operate the facility in a manner that prevents fires by doing one of the following:

(1) Covering all disposed combustible debris on a weekly basis with soil, clean hard fill, or other material which is non-combustible. For the purpose of this rule, covering means to apply non-combustible material in a manner such that combustible debris is not visible.

As stated earlier, portions of the facility continue to have exposed waste where previously placed soil cover has eroded away. These areas should be maintained with adequate soil cover.

OAC Rule 3745-400-11 (O)- Leachate outbreaks. If there is an outbreak of leachate at the surface, the owner or operator shall do all of the following:
(1) Contain the leachate.
(2) Manage and dispose the leachate in accordance with applicable regulations.
(3) Repair the outbreak.

The leachate outbreak observed on September 5 and mentioned earlier should be repaired and contained. The entire facility should be monitored so leachate seeps are corrected promptly.

OAC Rule 3745-27-13- (A) No person shall, without authorization from the director, engage in filling, grading, excavating, building, drilling, or mining on land where a hazardous waste facility or solid waste facility was operated. Any person proposing to engage in these activities on land where a hazardous waste facility or solid waste facility was operated shall comply with the requirements of this rule.

As stated earlier, a significant portion of the solid waste Flood Debris Unit appears to have been covered by C&DD waste in violation of this rule. This waste must be removed for proper disposal and the solid waste cap must be repaired or reconstructed.

I have received your most recent plan drawings showing revised boundaries of the flood debris cell.

Please respond to this letter within 15 days detailing your actions taken to abate the above cited violations. Please contact me at 740/380-5219 if you have any questions regarding this inspection of the Crock C&DD facility.

Sincerely,

Peter C. Thompson
Division of Materials & Waste Management

cc: Jim Warren, Noble County Health Department
Matt Boyer, Ohio EPA, DMWM
Nick Bryan, Ohio AGO

PCT/mr