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

October 22, 2012

RE: NOTICE OF VIOLATION
1ST QUARTER FY 2013
COMPREHENSIVE INSPECTION
ELKRUN INDUSTRIES C&DD LANDFILL

Elkrun Industries, Inc.
9676 State Route 7
Rogers, Ohio 44455

CERTIFIED MAIL 7012 1010 0002 2260 2578

Mr. Raymond R. and Caroline Crawford
605 West Lincoln Way
Lisbon, Ohio 44432

CERTIFIED MAIL 7012 1010 0002 2260 2585

Maureen Crawford
36337 State Route 172
Lisbon, Ohio 44432

CERTIFIED MAIL 7012 1010 0002 2260 2592

Darlene M. Figley
2379 Brewton Avenue
Spring Hill, Florida 34608

CERTIFIED MAIL 7012 1010 0002 2260 2608

Dear Property Owners of the Elkrun Industries, Inc. C&DD Landfill:

On September 26, 2012, I, representing the Ohio Environmental Protection Agency (Ohio EPA), conducted a 1st quarter F.Y. 2013 comprehensive inspection of the Elkrun Industries, Inc. C&DD Landfill (Elkrun), located at 9676 State Route 7 in Elkrun Township, Columbiana County. I met with Ron Crawford and Steve Sinsely, representing the facility owner/operator, both prior to and during the inspection.

The purpose of the 1st quarter F.Y. 2013 inspection of the facility was to determine compliance with Ohio Revised Code (ORC) Chapters 3714. and 3734., and Ohio Administrative Code (OAC) Chapters 3745-400 and 3745-27.

The following violations were observed during the 1st quarter F.Y. 2013 inspection:

1. **Surface Water.** During this inspection, surface water heavily laden with sediment was observed running uncontrolled along the sides of the access road, over the unpaved access road and behind the office trailer, and into a drain that drains underneath Route 7 and into an unnamed tributary to Turkeyfoot Run. The sediment-laden water appeared to be generated both from general run off from the landfill, and as a result of a worker physically hosing mud off the concrete facility entrance pad and into the drain located near the center of the pad.

Sediment laden water running toward Rt. 7

Sediment laden water running toward Rt. 7.

Sediment laden water running into drain

Sediment laden water exiting drain and running to unnamed tributary

Elkrun is in violation because it failed to control surface water at the facility and allowed surface water heavily laden with sediment to flow into waters of the state. Failure to control surface water and allowing water pollution to occur has resulted in violations of the following:

a. **OAC Rule 3745-400-11(B)(16):** *"The owner or operator shall not cause water pollution."*

b. **OAC Rule 3745-1-04:** *"The following general water quality criteria shall apply to all surface waters of the state including mixing zones. To every extent practical and possible as determined by the director, these waters shall be:*

(B) *Free from floating debris, oil, scrum and other floating materials entering the waters as a result of human activity in amounts sufficient to be unsightly or cause degradation;*

(C) *Free from materials entering the waters as a result of human activity producing color, odor or other conditions in such a degree as to create a nuisance."*

In order to return to compliance with these rules, the owner(s) or operator must immediately cease causing water pollution, and comply with the facility's surface water pollution prevention plan, the facility's current operating license, and all applicable surface water laws and regulations.

2. **Drag Out.** During this inspection, mud was observed being dragged out onto Route 7 by vehicles leaving the facility.

   Elkrun is in violation because it failed to adequately control mud from being dragged onto Route 7 by vehicles leaving the facility. Failure to adequately control mud from being dragged onto Route 7 by vehicles leaving the facility has resulted in a violation of the following:

   a. **OAC Rule 3745-400-11(I)(5):** *"The owner or operator shall employ measures necessary to minimize the incidence of mud, dirt, and dust on public roads before vehicles leave the facility."*

   In order to return to compliance with this rule, the owner(s) or operator must immediately employ measures necessary to minimize mud from being dragged onto Route 7 by vehicles leaving the facility.

The following observations were made during this inspection:

1. Solid waste was observed being removed from incoming loads deposited in the facility unloading zone.

2. Scrap tires removed from the working face were observed piled in an area adjacent to the landfill. A tarp was observed covering most of the tires. Please ensure that all tires are tarped in order to keep them dry to prevent the breeding of mosquitoes. It is recommended that scrap tires be removed from the facility and properly disposed on a regular basis in order to keep the pile small enough to easily tarp and manage. Please be aware that all tires must be transported by a registered scrap tire transporter. To find a registered scrap tire transporter in the State of Ohio, please follow the following link: http://www.epa.ohio.gov/portals/34/document/facility_lists/scrap_tire_transporters.pdf.

The owner(s) and operator of Elkrun Industries, Inc. need to immediately take the necessary measures to return to compliance with Ohio's environmental laws. Within 14 days of receipt of this letter, Elkrun Industries, 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 jerry.weber@epa.state.oh.us.

Please be advised that violations cited above will continue until the violations have been properly abated. Failure to comply with Chapter 3714 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, Elkrun Industries, 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 feel free to contact me at (330) 963-1274, or e-mail me at jerry.weber@epa.state.oh.us.

Sincerely,

Jerry W. Weber, R. S.
Environmental Specialist
Division of Materials and Waste Management

JWW:cl

cc: File: [Singh/CONS/Elkrun Industries/COR/15]

ec: Lori Barnes, Columbiana County Health Department