



State of Ohio Environmental Protection Agency

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Columbus, OH 43216-1049

April 11, 2008

Ms. Lea Boyas  
Peter J. Limited  
10055 Sweet Valley Drive  
Garfield Heights, OH 44125

**RE: Notice of Violation  
Matousek Landfill, Cuyahoga County  
OAC Rule 3745-27-13 Authorization**

Dear Ms. Boyas:

On December 3, 2003, Ohio EPA issued an Ohio Administrative Code ("OAC") Rule 3745-27-13 authorization to Peter J. Limited for the Matousek Landfill. The authorization required financial assurance in the amount of \$500,000 to be executed and funded within thirty days of the authorization.

Specifically, condition number 22 of the December 3, 2003 OAC Rule 3745-27-13 authorization stated,

"Within 30 days of the effective date of this authorization, Peter J. Limited shall execute and fund a financial assurance instrument in the amount of \$500,000.00. This financial assurance instrument shall be prepared, executed, and funded in a form acceptable to Ohio EPA and shall guarantee that all conditions of this, or the most recently approved OAC Rule 3745-27-13 authorization, shall be met and performed to the satisfaction of Ohio EPA. This financial assurance instrument shall be in force until at least five years following the completion of activities which are guaranteed by the instrument."

To date, Ohio EPA has not received a financial assurance mechanism from Peter J. Limited for the Matousek Landfill. Therefore, Peter J. Limited is in violation of the OAC Rule 3745-27-13 authorization for failure to execute and fund a financial assurance instrument in the amount of \$500,000.00 for the Matousek Landfill.

Peter J. Limited will remain in violation of the OAC Rule 3745-27-13 authorization until an appropriate financial assurance mechanism is executed and funded in the stated amount of \$500,000.00.

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

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The content of this letter does not relieve the owner/operator from its obligation to comply with other applicable requirements outlined in ORC Chapter 3734 and the rules promulgated there under, or its obligation to comply with other applicable State and Federal laws and regulations.

If you have any questions, please call me at (614) 728-5343.

Sincerely,



Fanny Haritos  
Compliance Monitoring and Enforcement Unit  
Division of Solid and Infectious Waste Management

FH/sw

cc: Jeff Hurdley, Legal  
Melinda Berry, DSIWM, CMEU  
Jarnal Singh, DSIWM, NEDO  
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Robert Eubanks, Assistant Attorney General