

Clermont



State of Ohio Environmental Protection Agency

238245

Southwest District

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

June 9, 2008

Bzak Landscaping, Inc.
931 Roundbottom Rd.
Milford, Ohio 45150

RE: Notice of Violation

Dear Mr. Bieszczak:

On May 14, 2008, I inspected of your Class III and Class IV solid waste composting facilities at 931 Roundbottom Road along with Mike Zimmerman, Ohio EPA, Division of Surface Water, and Eric Ratcliff of the Clermont County Health District. The following violations were noted during that inspection:

Leachate from the Class IV composting area had overflowed the retention pond and was flowing down the parking lot and drive way before flowing into a storm water drain and entering the adjacent stream.





Ohio Administrative Code (OAC) 3745-27-45(H)(3)(b) (3) states: *The owner or operator of a class I, II, III or IV composting facility shall do the following:*

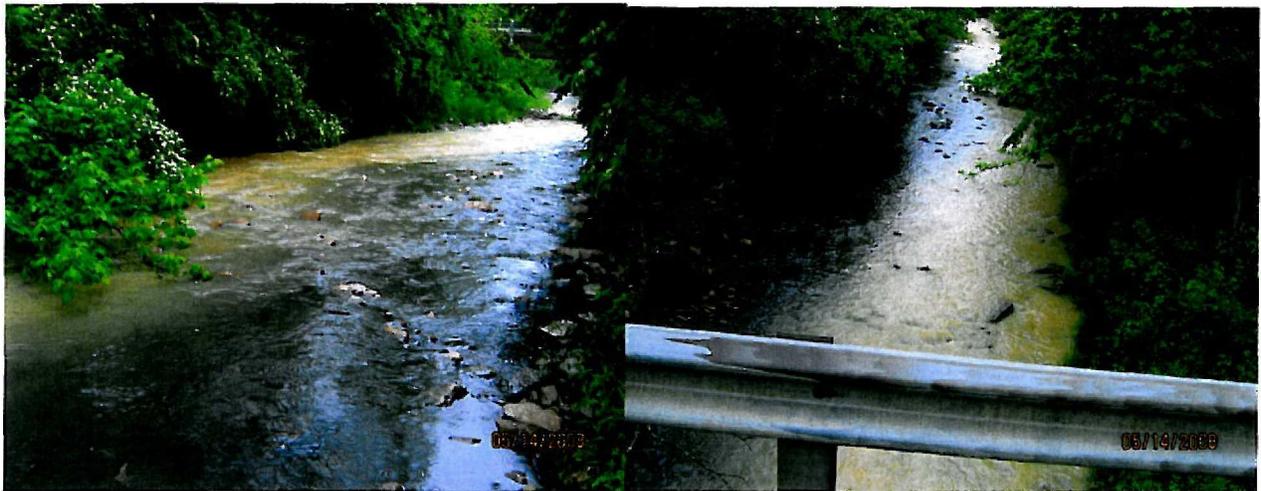
(a) Manage leachate in accordance with Chapter 6111. of the Revised Code.

(b) Take action to minimize the production of leachate and control, or eliminate, ponding of leachate and the conditions that contribute to the discharge of leachate from the facility.



Ohio Administrative Code (OAC) 3745-27-45(H)(4)(b) states: *The owner or operator of a class I, II, or III composting facility shall do the following:*

(b) Collect and contain leachate within the boundary of the composting facility and prevent leachate from discharging to waters of the state. Leachate may be collected and contained for re- introduction into the composting process.



Leachate was discharging from the Class IV retention pond into waters of the state. Action must be taken to ensure that a discharge to waters of the state will not happen again.

Leachate was ponding in the Class IV material placement area. You must take action to prevent ponding of leachate within the facility.

Ohio Administrative Code (OAC) 3745-27-45(K)(3) states: (3) The owner or operator of a composting facility shall record the facility operations on a daily log. The daily log information shall:

(a) Be kept on forms prescribed by the director or alternative forms approved by the director. The owner or operator must receive prior written approval from the director to use an alternative form. Alternative forms may be approved provided that all of the information requested on the prescribed form is present.

(b) Be available for inspection by the approved health department or Ohio EPA during normal operating hours.

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(c) Be submitted, upon request, to the approved health department or Ohio EPA. The approved health department or Ohio EPA may request summaries from the daily logs in lieu of the daily log copies.

(d) Include information for all entries listed on the log form when the facility is operating.

(e) Include the date when samples are obtained at the composting facility for testing in accordance with paragraph (H)(5)(b) of this rule and in accordance with rule 3745-27-46 of the Administrative Code.

(f) Include documentation of all incidents concerning detection of prohibited material in accordance with paragraph (A)(4) of this rule.

The daily logs for the Class IV facility were not up to date. The daily logs must be brought up to date, and must be completed daily.

These violations must be addressed. Compliance with the requirements outlined in this letter shall not relieve you of your obligation to comply with other legal obligations, including, but not limited to, Chapters 3704, 3714, 3734 or 6111 of the Ohio Revised Code or under the Federal Clean Water Act, Comprehensive Environmental Response, Compensation, and Liability Act, or Resource Conservation and Recovery Act remedying conditions resulting from any release of contaminants to the environment.

Your cooperation during the inspection is appreciated. If you have any questions regarding the inspection, please feel free to call.

Sincerely,



Cheryl Allen, R.S.

Ohio Environmental Protection Agency,
Division of Solid and Infectious Waste Management

CA/mab