



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

November 5, 2012

CERTIFIED MAIL

Mr. D. Scott Weidle
P.O. Box 247
Germantown, Ohio 45327

**RE: Notice of Violation for Ohio Administrative Code (OAC) Rule 3745-27-14
Weidle Landfill, Montgomery County, Ohio**

Dear Mr. Weidle:

On October 24, 2012, Paul Stuart from Public Health - Dayton and Montgomery County (PHDMC) and I met with you to perform a site visit at the Eckhart Road C&DD landfill and the closed Weidle Landfill. During our visit, you stated that you had been delinquent in submitting the quarter post closure report for the closed Weidle Landfill as required by OAC Rule 3745-27-14(A).

OAC Rule 3745-27-14(A) states in pertinent part:

"Quarterly inspection of a sanitary landfill facility during each year of the post-closure care period and submittal of a written summary to the appropriate Ohio EPA district office not later than fifteen days after the inspection date detailing the results of the inspection and a schedule of any actions to be taken to maintain compliance with ... 1) Continuing operation and maintenance of the leachate management system, the surface water management system, any explosive gas extraction and/or control system, any explosive gas monitoring system, and the ground water monitoring system and (2) Maintaining the integrity and effectiveness of the cap system, including making repairs to the cap system as necessary to correct the effects of settling, dead vegetation, subsidence, ponding, erosion, leachate outbreaks, or other events, and preventing run-on and runoff from eroding or otherwise damaging the cap system."

The last submission of the quarterly post closure report was received by this office for third quarter of 2004 which was performed on July 22, 2004. **Therefore, you are in violation of Ohio Administrative Code Rule 3745-27-14(A).**

Southwest District Office
401 East Fifth Street
Dayton, OH 45402-2911

937 | 285 6357
937 | 285 6249 (fax)
www.epa.ohio.gov

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This is an **ongoing violation**, as you have been cited by the Ohio Environmental Protection Agency (Ohio EPA) for this violation numerous times in the past since the landfill closed in August of 1989, specifically: December 14, 1990, April 24, 2000, June 21, 2000, May 21, 2001, and July 3, 2003.

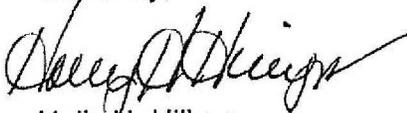
Please provide a written response within fourteen (14) days from receipt of this correspondence regarding your remedy to prevent this ongoing violation. Additionally, please submit all future quarterly post closure reports to both, Ohio EPA, Division of Materials and Waste Management, Southwest District Office and PHDMC beginning with the fourth quarter of this year (October, November and December 2012). Your report is due within fifteen (15) days from the date of performing the inspection.

Please be advised that continued failure to comply may result in escalated enforcement.

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, Clean Air 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.

Should you have any questions or concerns, please do not hesitate to contact me at (937) 285-6072.

Sincerely,



Holly H. Hillyer
Environmental Specialist
Division of Materials and Waste Management

HHH/tf

ec: Kenton Domer-Shank, Public Health - Dayton and Montgomery County
Paul Stuart, Public Health - Dayton and Montgomery County

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MR D. SCOTT WEIDLE
 PO BOX 247
 GERMANTOWN, OH 45327

PS Form 3811, June 2002

See Reverse for Instructions

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1. Article Addressed to:

MR D. SCOTT WEIDLE
 PO BOX 247
 GERMANTOWN, OH 45327

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 Ronal Weidle Agent Addressee

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