



State of Ohio Environmental Protection Agency

Northwest District Office

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March 20, 2008

Mr. Kenneth Humphrey, Environmental Director
Envirosafe Services of Ohio, Inc.
876 Otter Creek Road
Oregon, Ohio 43616-1200

**Subject: Cell M Leachate Violation - February 2008
ESOI Otter Creek Road Facility
OHD 045 243 706
RCRA Hazardous Waste
Lucas County**

Dear Mr. Humphrey:

On March 4th, 2008, subsequent to a routine daily inspection conducted on February 8th, 2008, I reviewed the F039 Leachate Storage Tank Inventory Control Logs (Form MF-18(b) for dates 01-28-08 through 02-10-08) and the ESOI Daily Field Record - Leachate Levels (for dates 02-06-08 through 02-10-08) completed by Envirosafe Services of Ohio, Inc. (ESOI) located at 876 Otter Creek Road, Oregon, Ohio. I reviewed these documents to determine ESOI's compliance with Ohio's hazardous waste laws as found in Chapter 3734 of the Ohio Revised Code (ORC) and Chapter 3745 of the Ohio Administrative Code (OAC), ESOI's approved December 29, 2005, Ohio Hazardous Waste Facility Installation and Operation Permit (permit) and the April 24, 2000, Director's Consent Order and Final Judgment.

Ohio EPA has determined that ESOI is in violation of Permit Condition J.3(a) and OAC Rule 3745-57-03(A)(2) as described below:

1. Permit Condition J.3(a) and OAC Rule 3745-57-03(A)(2)

Permit Condition J.3(a) states that, "The Permittee must monitor, operate, and maintain the primary leachate collection system (PLCS) and secondary leachate collection system (SLCS), as applicable, of Cell M.

The level of leachate accumulation on the primary synthetic liner, excluding the sumps, must not exceed the height of one foot, as required by OAC Rule 3745-57-03(A)(2), except for temporary excursions following a precipitation event. To minimize the potential for excursions, the Permittee must activate primary system pumps whenever the leachate levels on the liner exceed 10 inches.

The Permittee must return to a leachate level of less than 10 inches in Cell M after the precipitation event that triggered the temporary excursion by operating the pumps in the affected landfill collection sumps 24 hours per day, 7 days per week."

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Ohio EPA observed on February 8th, 2008 that ESOI failed to operate the pumps in the primary leachate collection system (PLCS) sumps in sub-cells M2, M3, M4, M5, and M6 as outlined in Permit Condition J.3(a). Ohio EPA observed that ESOI shut down the PLCS pumps in Cell M.

Further review of ESOI's Cell M Leachate Report, February 2008 (received March 14th, 2008) showed that ESOI failed to properly manage its permitted on-site leachate storage capacity (tanks S-100, S-200, S-300 and S-400) allowing the leachate accumulation on the primary synthetic liner to exceed the height of one foot in sub-cells M2, M3, M4, M5, and M6 on multiple occasions during the month.

Additional violations related to this inspection along with return to compliance criteria for these violations may follow under a separate cover.

If you have any questions, please contact me at (419)373-3135 or via e-mail at chris.maslo@epa.state.oh.us.

Sincerely,



Chris Maslo
Division of Hazardous Waste Management

/cs

pc: ~~DHWM, NWDO, Inspections-NOV-File~~
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Dale Meyer, USEPA Region 5
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NOTE: Ohio EPA's failure to list specific deficiencies or violations in this letter does not relieve your company from having to comply with all applicable regulations.