



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

Re: **Notice of Violation
Hancock County Landfill**

October 26, 2012

Hancock County Board of Commissioners
300 South Main Street
Findlay, Ohio 45840

Dear Commissioners:

The Ohio Environmental Protection Agency (Ohio EPA), Division of Materials and Waste Management (DMWM) became aware of the acceptance of hazardous waste at the Hancock County Landfill (Facility), through a compliance evaluation inspection (CEI) at Bethel Engineering & Equipment Inc. (BEEI), located in New Hampshire, Ohio and during a CEI at LaRiche Chevrolet-Cadillac (LaRiche), located in Findlay, Ohio. During the CEI performed by Ohio EPA on June 13, 2012, at LaRiche, it was discovered that LaRiche was generating solvent/paint waste distillation bottoms (F005 listed hazardous waste) from the on-site solvent recycling still. The distillation bottoms were then disposed of in the trash as solid waste. H&O Services handles LaRiche's solid waste disposal by taking the contents of the on-site roll-off box to the Hancock County Landfill. In addition, during the CEI performed by Ohio EPA on June 26, 2012, at BEEI, it was discovered that BEEI was generating solvent/paint waste filters (F003 and F005 listed hazardous waste) from the cleaning of their paint guns. The filters were then disposed of in the garbage. Koogler's Refuse handles BEEI's solid waste disposal by taking the contents of the on-site 3-yd dumpster to the Hancock County Landfill. The hazardous waste should have been managed by the generator as a hazardous waste and not disposed of at a solid waste landfill.

The owner/operator of the Hancock County Landfill is in violation of the following rules and laws:

1. Ohio Administrative Code (OAC) Rule 3745-27-19(E)(8)(c), which states in pertinent part: *The owner or operator shall not accept for disposal or dispose of any of the following materials at a sanitary landfill facility . . . materials that are defined as hazardous wastes pursuant to rule 3745-51-03 of the Administrative Code. . .*
2. Ohio Revised Code (ORC) Chapter 3734.11(A), which states: *No person shall violate any section of this chapter, any rule adopted under it, or any order issued under section 3734.13 of the Revised Code.*

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Based upon BEEI's and LaRiche's remedy to their cited hazardous waste disposal violations, it appears that BEEI and LaRiche no longer ship hazardous waste to the Hancock County Landfill. However, this does not relieve the owner/operator of the Facility from the responsibility of accepting hazardous waste at the Facility

The owner/operator of the Facility needs to immediately take the necessary measures to return to compliance with Ohio's environmental laws. Within 14 days of receipt of this letter, the owner/operator 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 jeremy.scoles@epa.ohio.gov.

Please be advised that violations cited above will continue until the violations have been properly abated. Failure to comply with Chapter 3734. 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, the owner/operator 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 contact me by telephone at (419) 373-3079 or by e-mail at jeremy.scoles@epa.ohio.gov.

Sincerely,



Jeremy Scoles, RS
Environmental Supervisor
Division of Materials and Waste Management

/l/r

pc: Lindsay Summitt, Hancock County Health Department
Don Moses, Landfill Manager
Wes Rhiel, P.E., Arcadis, Inc
File: DMWM-SW, Hancock County, Hancock Co. Landfill, Correspondence

ec: Mike Reiser, DMWM, NWDO
Mary Wright, DMWM, NWDO
Colleen Weaver, DMWM, NWDO