



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

February 7, 2013

**RE: SUMMIT C&D DISPOSAL
OCT. – DEC. 2012 MONTHLY REPORTS
NOTICE OF VIOLATION
RETURN TO COMPLIANCE**

CERTIFIED MAIL 7012 1010 0000 9467 7063

John R. Eslich
Summit C&D Disposal, Inc.
3525 Broadway Ave. NE
Louisville, Ohio 44641

CERTIFIED MAIL 7012 1010 0000 9467 7070

Patrick J. Loper II, P.E.
Bowser-Morner Associates, Inc.
4518 Taylorsville Road
P.O. Box 51
Dayton, Ohio 45401-0051

Dear Mr. Eslich and Mr. Loper:

Ohio Environmental Protection Agency (Ohio EPA) reviewed documents regarding Summit C&D Disposal, Inc., from Bowser-Morner on behalf of Summit C&D Disposal, Inc. (Facility). The Facility is located at 1947 Wadsworth Road, Norton. This letter provides Ohio EPA's review results of the following monthly reports:

- October 2012, dated November 6, 2012, received November 7, 2012
- November 2012, dated December 7, 2012, received December 10, 2012
- December 2012, dated January 7, 2013, received January 8, 2013

The documents were prepared by Bowser-Morner, Inc. on behalf of Summit C&D Disposal, Inc. The reports contain the site observations, construction progress, and detailed summaries of the leachate management records for October through December 2012. Monthly reports are required by Order 11 in the Unilateral Director's Final Findings & Orders (DFFOs), and the Final Revised 2012 License Terms and Conditions.

John R. Eslich, Summit C&D Disposal, Inc.
Patrick J. Loper II, P.E., Bowser-Morner Associates, Inc
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The Summit C & D Disposal, Inc. Landfill ground water monitoring program is regulated by the Construction and Demolition Debris Regulations (OAC 3745-400-10), effective August 31, 2002.

Violation

The Respondent was in violation of Order 11 of the Unilateral Director's Final Findings and Orders (DFFOs) dated April 11, 2008, which requires the Respondent to submit the previous month's leachate management records by the fifth business day of the following month. The November 2012 leachate management records were not received by Ohio EPA until December 10, 2012. Upon receipt of the November 2012 leachate management records on December 10, 2012, the Respondent returned to compliance with this order.

If you have any technical questions regarding this review, please contact Mark Kroenke at (330) 963-1225. Please submit all correspondence to Dave Dysle, Division of Materials and Waste Management, Northeast District Office, Ohio EPA, 2110 East Aurora Road, Twinsburg, Ohio 44087.

Sincerely,



Dave Dysle
Environmental Specialist
Division of Materials and Waste Management

DD/cl

cc: Kelly Jeter, DMWM, CO
Allison Giancola, DMWM, NEDO
Robin Nichols, DMWM-Legal
Mark Kroenke, DDAGW, NEDO
Robert Moormann, AGO
Julie Brown, Summit County Public Health
Michael Cyphert, Walter & Haverfield LLP
File: [Sowers/CONS/Summit C&D Disposal/COR/77]
DMWM #4267