



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

March 18, 2013

RE: TUSCARAWAS COUNTY
FAC-KIMBLE SANITARY LANDFILL
COM

Mr. Keith Kimble
Kimble Clay & Limestone Co.
3596 State Route 39 NW
Dover, Ohio 44622

Subject: Inspection conducted March 6, 2013

Dear Mr. Kimble:

On, March 6, 2013, I conducted an inspection of the Kimble Sanitary Landfill (KSL) along with Mike Chek of the Tuscarawas County Health District. This inspection was conducted to determine compliance with Ohio Administrative Code (OAC) Chapter 3745-27 and Ohio Revised Code Chapter 3734. Dirk Kimble represented the facility during our inspection of the Kimble Sanitary Landfill (KSL). At the time of our inspections violations of Ohio Administrative Code (OAC) 3745-27 were observed.

Please find the specific violations listed below:

VIOLATIONS

1. OAC 3745-27-19 states in part "If leachate outbreak(s) occurs at the sanitary landfill facility, the owner or operator shall repair outbreak(s) and do the following:
 - (a) Contain and properly manage the leachate at the sanitary landfill facility.
 - (b) If necessary, collect and dispose of the leachate in accordance with paragraphs (K) (5) and (K) (6) of this rule.
 - (c) Take action to minimize, control, or eliminate the conditions which contribute to the production of leachate.

At the time of inspection on March 6, 2013, a leachate outbreak was observed on the eastern slope. Leachate was observed to be running in an uncontrolled manner and entering the surface water control ditch. This leachate outbreak must be repaired.

Because the Kimble sanitary landfill failed to properly manage its leachate

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outbreaks by properly containing and repairing the outbreaks the Kimble Sanitary Landfill is in violation of OAC 3745-27-19 (K) (1) (a) for failure to properly manage manage leachate. Kimble Sanitary Landfill is further in violation OAC 3745-27-19 3745-27-19 (K) (1) (c) for failure to properly control and eliminate the condition that that contributed to the leachate outbreaks.

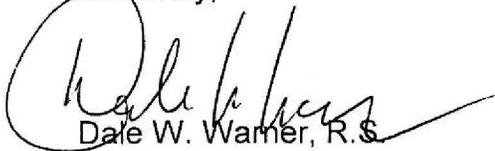
2. (2) The owner or operator shall conduct all construction and operation at a sanitary landfill facility in strict compliance with the applicable authorizing document, including permit to install, a plan approval, an operational report, an approved closure plan, an alteration concurred with in writing by Ohio EPA, or any authorizing document listed in paragraph (l) of rule 3745-27-09 of the Administrative Code.

At the time of our inspection on March 6, 2013, I observed a steel tank or pit that had been placed into the waste disposal area on a previously filled area. In speaking with Mr. Kimble at the time of my inspection several loads had been solidified in the tank/pit. However, no paint filter test had been conducted and documented as required by the plan approved on October 12, 2011. The tank was also not installed in accordance with the approved plan.

The Kimble Sanitary Landfill is in violation of failing to operate and construct the solidification area in strict compliance with the approved plan. Please be advised that you may not deviate from the approved plan without written authorization from Ohio EPA.

Please respond within 15 days outlining the actions that have been taken to correct the violations. If you have any questions, please free to contact me at (740) 380-5435.

Sincerely,



Dale W. Warner, R.S.
Environmental Specialist
Division of Materials and Waste Management

DW/mr

cc: Tuscarawas County Health Department