



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

November 6, 2012

RE: RETURN TO COMPLIANCE  
TOTAL WASTE LOGISTICS  
PENN-OHIO FACILITY C&DD LANDFILL

Mr. Guy Fragle  
Total Waste Logistics  
Penn-Ohio Facility C&DD Landfill  
7555 North Street  
Negley, Ohio 44441

Dear Mr. Fragle:

In a letter dated August 13, 2012, the Ohio Environmental Protection Agency (Ohio EPA), sent you a notice of violation occurring at the Total Waste Logistics, Penn-Ohio Facility C&DD Landfill (Penn-Ohio), located at 7555 North Street, approximately 2000 feet north of the intersection of State Routes 154 and 170 in Negley, Columbiana County, Ohio. The violation was originally communicated to facility personnel during a partial inspection conducted on August 1, 2012.

As a result of the 2<sup>nd</sup> quarter F. Y. 2013 comprehensive inspection, which was conducted on November 1, 2012, Ohio EPA determined that Penn-Ohio had abated the following violations:

1. **OAC Rule 3745-400-11(B)(15) - Nuisance.**
2. **OAC Rule 3745-400-11(H) – Fire Control.**
3. **OAC Rule 3745-400-11(Q) – Surface and Ground Water Management.**

Penn-Ohio covered large portions of the landfill with 12 to 18 inches of soil in an effort to control landfill gases within the landfill. No landfill gas odors were detected either on or off the landfill on this occasion. During this process, the landfill was graded in order to eliminate erosion and ponding of water which had developed on the landfill. The areas where grading and covering took place were seeded and grass is growing well.

Please note that Ohio EPA received your response letter to the August 13, 2012, notice of violation on August 23, 2012. No further correspondence regarding this matter is required.

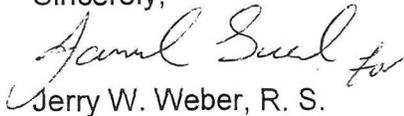
Nothing in this letter shall be construed to authorize any waiver from the requirements of any applicable state or federal laws or regulations. This letter shall not be interpreted to release the owner or operator, or others, from responsibility under Chapters 3704, 3714, 3734, or 6111 of the Ohio Revised Code or under the Federal Clean Water Act, Resource Conservation and Recovery Act, or Comprehensive Environmental Response,

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Compensation, and Liability Act for remedying conditions resulting from any release of contaminants to the environment.

If you have any questions regarding this letter, please feel free to contact me at (330) 963-1274, or e-mail me at "[jerry.weber@epa.state.oh.us](mailto:jerry.weber@epa.state.oh.us)."

Sincerely,



Jerry W. Weber, R. S.  
Environmental Specialist  
Division of Materials and Waste Management

JWW:cl

cc: Live Earth Acquisitions, LLC  
Joe Costa, Total Waste Logistics  
Ron Rager, Tervita  
File: [Singh/CONS/Total Waste Logistics Penn-Ohio/COR/15]

ec: Kristopher Weiss, PIC  
Lori Barnes, Columbiana County Health Department  
DMWM Project #4628