



State of Ohio Environmental Protection Agency

Southeast District Office

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Ted Strickland, Governor
Lee Fisher, Lieutenant Governor
Chris Korleski, Director

October 1, 2008

Re: Jefferson County
C and D Disposal Technologies
Facility ID 0641000257
Site Visit Air Compliance
Warning Letter
NON-HPV

Certified: 70063450000190559727

Mr. Joseph Scugoza
C and D Disposal Technologies LLC
1202 Labelle Ave.
Steubenville, OH 43952

Dear Mr. Scugoza:

On September 10, 2008, I made an unannounced site visit to the C and D Disposal Technologies Landfill facility. The purpose of the site visit was to investigate a dust complaint. During my inspection of the site, I was accompanied by Dennis Ippolito.

The C and D Disposal Technologies Landfill has been issued the Permit To Install (PTI): 06-07604, issued on June 13, 2006. This permit addresses emissions units: F001- C&DD Landfill operations; F002- Roadways and parking areas; and F003- Storage piles.

At the time of the visit, I did not observe excessive fugitive dust emissions from the three permitted emissions units.

Upon completion of the landfill inspection, I asked to view the monitoring and record keeping inspection records for the above-noted three emissions units. The monitoring and record keeping inspection results were not available for viewing. It does not appear that the records are being recorded and maintained by the facility.

Based upon my inspection at the C and D Disposal Technologies Landfill, the following violations were observed:

Emissions Unit F001, Construction and demolition debris operations

- (1) Part II. Section C. Monitoring and/or Record Keeping Requirements, paragraph 1.a. through 1.d. requires that the permittee perform inspections of the landfill fugitive dust operations/sources in accordance with the following frequencies:

<u>Landfill fugitive dust operations/sources</u>	<u>Minimum inspection frequency</u>
Waste dumping and unloading	Once during each day of operation
Waste compaction operation	Once during each day of operation
Soil excavating and handling	Once during each day of operation
Covering of waste with soil	Once during each day of operation
Wind erosion from landfill surfaces	Once during each day of operation

The facility has not been conducting the daily inspections for the above-noted operations in violation of the PTI requirements and ORC section 3704.05(C).

- (2) Part II. Section C. Monitoring and/ or Record Keeping Requirements, paragraph 4 requires that the permittee maintain the following records:
- a. the date and reason any required inspection was not performed;
 - b. the date of each inspection where it was determined by the permittee that it was necessary to implement the control measure(s);
 - c. the dates the control measure(s) was (were) implemented; and
 - d. on a calendar quarter basis, the total number of days the control measure(s) was (were) implemented.

The facility has not been maintaining the above-noted records in violation of the PTI requirements and ORC section 3704.05(C).

- (3) Part II. Section D. Reporting Requirements, paragraph 1 requires that the permittee submit deviation reports that identify the any of the following occurrences:
- a. each day during which an inspection was not performed by the required frequency; and
 - b. each instance when a control measure, that was to be performed as a result of an inspection, was not implemented.

The facility has not been submitting deviation reports for emissions unit F001 in violation of the PTI requirements and ORC section 3704.05(C).

Emissions Unit F002, Facility Roadways and Parking Areas

- (4) Part II. Section C. Monitoring and/or Record Keeping Requirements, paragraph 1 Requires the permittee to perform daily inspections of the roadways and parking areas.

The facility has not been performing the above-noted inspections in violation of the PTI requirements and ORC section 3704.05(C).

- (5) Part II. Section C. Monitoring and/ or Record Keeping Requirements, paragraph 4 requires that the permittee maintain the following records:
- a. the date and reason any required inspection was not performed;
 - b. the date of each inspection where it was determined by the permittee that it was necessary to implement the control measure(s);
 - c. the dates the control measure(s) was (were) implemented; and
 - d. on a calendar quarter basis, the total number of days the control measure(s) was (were) implemented.

The facility has not been maintaining the above- noted records in violation of the PTI requirements and ORC section 3704.05(C).

- (6) Part II. Section D. Reporting Requirements, paragraph 1 requires that the permittee submit deviation reports that identify the any of the following occurrences:
- a. each day during which an inspection was not performed by the required frequency; and
 - b. each instance when a control measure, that was to be performed as a result of an inspection, was not implemented.

The facility has not been submitting deviation reports for emissions unit F002 in violation of the PTI requirements and ORC section 3704.05(C).

Emissions Unit F003, Facility Storage Piles

- (7) Part II. Section C. Monitoring and/or Record Keeping Requirements, paragraph 1 requires the permittee to perform inspections, of each load-in operation, at each storage pile at this facility, on a weekly basis.

The facility has not been performing the above-noted inspections in violation of the PTI requirements and ORC section 3704.05(C).

- (8) Part II. Section C. Monitoring and/ or Record Keeping Requirements, paragraph 2 requires that the permittee perform inspections of each load-out operation at each storage pile at the facility on a weekly basis.

The facility has not been performing the above-noted inspections in violation of the PTI requirements and ORC section 3704.05(C).

- (9) Part II. Section C. Monitoring and/ or Record Keeping Requirements, paragraph 3 requires that the permittee perform inspections of the wind erosion from pile surfaces associated with each storage pile at the facility on a weekly basis.

The facility has not been performing the above-noted inspections in violation of the PTI requirements and ORC section 3704.05(C).

- (10) Part II. Section C. Monitoring and/ or Record Keeping Requirements, paragraph 7 requires that the permittee maintain the following records:

- a. the date and reason any required inspection was not performed;
- b. the date of each inspection where it was determined by the permittee that it was necessary to implement the control measure(s);
- c. the dates the control measure(s) was (were) implemented; and
- d. on a calendar quarter basis, the total number of days the control measure(s) was (were) implemented.

The facility has not been maintaining the above-noted records in violation of the PTI requirements and ORC section 3704.05(C).

- (11) Part II. Section D. Reporting Requirements, paragraph 1 requires that the permittee submit deviation reports that identify the any of the following occurrences:
- a. each day during which an inspection was not performed by the required frequency; and
 - b. each instance when a control measure, that was to be performed as a result of an inspection, was not implemented.

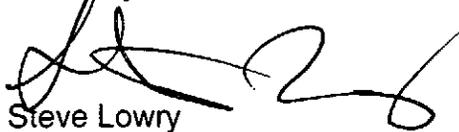
The facility has not been submitting deviation reports for emissions unit F003 in violation of the PTI and ORC section 3704.05(c).

Please provide this office with a written description of how future compliance will be maintained for each of the above-noted requirements/violations. Please submit the requested information by October 20, 2008. Acceptance by the Ohio EPA of a schedule for compliance does not constitute a waiver of the Ohio EPA's authority to seek civil penalties as provided in section 3704.06 of the Ohio Revised Code. The determination to pursue or decline to pursue such penalties in this case will be made by the Ohio EPA at a later date.

If you are unable to respond to any part of this request, within the time frame discussed above, please inform us and explain so that we may be of assistance.

If you have any questions, feel free to contact me at (740) 380-5231 or email steve.lowry@epa.state.oh.us.

Sincerely,



Steve Lowry
Environmental Specialist
Division of Air Pollution Control

SL/mlm

cc: Sarah Harter, DAPC/SEDO
Pete Thompson, DSIWM/SEDO