



State of Ohio Environmental Protection Agency

Northeast District Office

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Twinsburg, Ohio 44087

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www.epa.state.oh.us

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

February 26, 2009

RE: RETURN-TO-COMPLIANCE LETTER
DAPC FACILITY ID: 02 50 07 0850

CERTIFIED MAIL

Mr. Michael Heher
Carbon Limestone Landfill, LLC
8100 Stateline Road
Lowellville, OH 44436

Dear Mr. Heher:

The purpose of this letter is to provide a follow-up discussion to the Notice of Violation (NOV) sent to Carbon Limestone Landfill, LLC (Carbon) on September 22, 2008 and to discuss future well monitoring practices. Thank you for communicating with this office in an effort to resolve past issues.

F004 – "Mixing Pit"

The sides of the enclosure for the mixing pit had deteriorated to the point that the enclosure offered little protection from the wind. Carbon has agreed to repair the enclosure by replacing the steel on the top portion and placing a strong flexible liner material on the bottom portion. The flexible material will allow for heavy equipment to be used inside the enclosure without damaging the enclosure.

Well-monitoring

Quarterly and semiannual reports submitted by Carbon indicate various times when well parameter (temperature, oxygen, or pressure) measurements fall outside of applicable ranges. While it is understandable that wells will occasionally have excursions, I want to make sure that Carbon understands the expectations from this office and 40 CFR, Part 60, Subpart WWW.

When a well deviates from a required range for more than 15 days, it is expected that Carbon submit an Alternative Timeline Request (ATR) pursuant to 40 CFR 60.755(a)(3) and (5), unless plans to install a new well have been initiated or a request for a Higher Operating Value "HOV" has been submitted. The ATR should include a compliance plan and schedule for bringing the well back into compliance.

MR. MICHAEL HEHER
CARBON LIMESTONE LANDFILL, LLC
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Summary

The Division of Air Pollution Control does not intend to take further enforcement action regarding the matters outlined in the September 22, 2008, NOV, provided the enclosure of the mixing pit remains adequate and records are maintained appropriately. Please adjust well-monitoring practices to conform to the above procedure if Carbon is not already doing so.

Failure to maintain compliance with these requirements can result in a referral to the Central Office of Ohio EPA for the appropriate enforcement action.

Should you have any questions regarding this matter, please feel free call me at (330) 963-1270.

Sincerely,



Tim Fischer
Environmental Specialist
Division of Air Pollution Control

TF:bo

ec: Dennis Bush, Ohio EPA, DAPC, NEDO
Ed Fasko, Ohio EPA, DAPC, NEDO
John Schmidt, Ohio EPA, DSIWM, NEDO
Misty Koletich, M-TAPCA

cc: Lisa Holscher, U.S. EPA, Region 5
Tom Kalman, Ohio EPA, DAPC, CO