



State of Ohio Environmental Protection Agency

Northeast District Office

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

October 16, 2007

RE: NOTICE OF VIOLATION  
A&L SALVAGE LLC  
DUST EMISSIONS  
ASBESTOS EMISSIONS CONTROL  
02 15 06 03 42  
CERTIFIED MAIL

Mr. Dave Brown, General Manager  
A&L Salvage, LLC  
PO Box 333  
Lisbon, OH 44432

Dear Mr. Brown:

The purpose of this letter is to inform you of recent air pollution violations observed at the A&L Salvage, LLC C&DD Landfill (A&L) located at 11225 State Route 45 in Lisbon. Specifically, on two separate occasions, an Ohio EPA, Northeast District Office, Division of Air Pollution Control (NEDO-DAPC), staff member witnessed violations of the facility's fugitive dust limits, and on one occasion I observed an asbestos material handling violation. Within ten (10) days of receipt of this letter, please provide us with a written response informing us of plans you intend to implement in order to prevent re-occurrences of these violations. This letter is also to notify you of the continued presence of hydrogen sulfide (H<sub>2</sub>S) emissions. Details regarding these issues are discussed below.

DUST EMISSIONS

Mr. Darren Machuga of NEDO-DAPC performed dust surveillance on August 28, 2007, in response to a complaint received that day alleging that landfill traffic was causing excessive dust on State Route 45. Mr. Machuga observed visible particulate emissions on State Route 45 caused by material being carried out and deposited from the entrance/exit roadway for A&L Salvage. At approximately 2:25 pm, Mr. Machuga began an observation of these fugitive emissions using Federal Reference Method 22. During a 30 minute observation period, visible particulate emissions were observed for 5 minutes and 5 seconds.

Based on these observations, A&L was in violation of permit-to-install (PTI) number 02-13949, issued on June 21, 2000. Part II, Paragraph A.1 of the permit conditions for A&L's paved roadways and parking areas (Emissions Unit F001) states that the applicable emissions limitation shall be "...No visible particulate emissions except for one minute during any 60-minute period." Also, Part II, Paragraph A.2.g for Emissions Unit F001 states, "...The permittee shall promptly remove, in such a manner as to minimize or prevent resuspension, earth and/or other material from paved streets onto which such material has been deposited by trucking or earth moving equipment or erosion by water or other means."

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After completing his observations, Mr. Machuga met with Mr. Jason Plunkett, Site Supervisor, and informed him of the violations. Mr. Plunkett indicated he was aware the site was very dusty and that both water pumps, the one on the water truck and the one on the yellow tanker truck, were inoperable. Mr. Plunkett stated that a rental water truck was on order and should be delivered the following day.

Please note that with no functional water pump, A&L was also operating in violation of PTI number 02-18003, issued on September 9, 2003. Part II, Paragraph B.9 of the permit conditions for A&L's asbestos-containing materials activities (Emissions Unit F002) states that "*...The permittee shall have emission control equipment available for wetting and containing asbestos in the event of a release or non-conforming load disposal. All equipment required to implement the [Asbestos Disposal Operating Procedure and Spill Contingency] Plan shall be maintained in accordance with good engineering practices to ensure equipment is in a ready to use condition, and in an appropriate location for use.*"

Mr. Machuga returned to the site the following day, August 29, 2007, after NEDO had received another complaint alleging fugitive dust emissions from A&L Salvage were causing unsafe visibility conditions on State Route 45. On that date, Mr. Machuga observed visible particulate emissions from the unpaved haul roads located near the disposal working face on A&L Salvage's property. At approximately 12:20 pm, Mr. Machuga began an observation of these fugitive particulate emissions using Federal Reference Method 22. During a 60 minute observation period, visible particulate emissions were observed for 8 minutes and 44 seconds. Based on these observations, A&L Salvage was in violation of PTI number 02-13949.

Part II, Paragraph A.1 of the permit conditions for A&L's unpaved roadways and parking areas (Emissions Unit F001) states that the applicable emissions limitation shall be "*...No visible particulate emissions except for three minutes during any 60-minute period.*" Also, Part II, Paragraph A.2.d for Emissions Unit F001 states, "*...The permittee has committed to treat the unpaved roadways and parking areas with water at sufficient treatment frequencies to ensure compliance and to limit vehicles to a speed limit of 15 miles per hour. If watering and speed reduction are not sufficient to control emissions, the Ohio EPA may require additional fugitive dust control measures. Nothing in this paragraph shall prohibit the permittee from employing other control measures to ensure compliance.*"

While the rental water truck was onsite during Mr. Machuga's inspection, the unpaved roads and parking areas were not being treated sufficiently to ensure compliance with the fugitive dust limit.

On August 28, 2007, Ms. Jennifer Kurko, DAPC Supervisor, informed Mr. Steve Callahan, A&L's Director of Operations, of the dust violations observed by Mr. Machuga that day. On the morning of August 29, 2007, Ms. Kurko and Mr. Callahan discussed the violations and continuing dust complaints. In an August 31, 2007, e-mail, Ms. Kurko informed Mr. Callahan of the additional dust violations witnessed by Mr. Machuga on August 29, 2007.

To return to compliance with these permit conditions, A&L must immediately employ any and all measures necessary to perform the following: control carry out from the facility, control dust on its unpaved roadways, and keep operable asbestos emission control equipment readily available.

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Please note that we sent you a notice dated August 20, 2007, informing you of dust-related violations that were witnessed on July 19, 2007. At this time, Ohio EPA is again requesting that A&L submit a written compliance plan detailing any actions that have been taken and/or are planned to be taken to achieve compliance with the aforementioned requirements. The plan should include the dates the corrective actions have been or will be implemented. The plan should include measures above those included in previous compliance plans submitted by the facility, as they have not been effective in maintaining compliance with emission control requirements. Please submit the compliance plan and implementation dates within ten (10) days of receipt of this letter.

#### ASBESTOS MATERIAL HANDLING

As was stated in the previous section, on August 28, 2007, A&L was found in violation of the asbestos handling requirement in Part II, Paragraph B.9 of PTI 02-18003 for failing to have emission control equipment in ready to use condition.

Ms. Kurko and I found an additional violation during a September 13, 2007, inspection of the A&L facility. While inspecting the asbestos handling procedures, I observed visible emissions of dust from asbestos disposal bags. The dust was emanating from the bags as they were being crushed by large pieces of shale dropped onto them during the application of daily cover. Based on this observation, A&L Salvage operated in violation of Ohio Administrative Code (OAC) rule 3745-20-06(B)(1), "Standard for Active Asbestos Waste Disposal Sites," which states "...there shall be no visible emissions to the outside air from asbestos-containing waste materials during the onsite transportation, transfer, deposition or compacting operations."

A&L was also in violation of a similar requirement in PTI Number 02-18003. Part II, Paragraph A.1 of the permit conditions for A&L's asbestos-containing material activities (Emissions Unit F002) states that the applicable emissions limitation for asbestos-containing material activities shall be "...no visible emissions from asbestos-containing materials during on-site transportation, transfer, unloading, deposition or compacting operations."

The above visible emission violations and my concerns regarding the large pieces of shale in the asbestos cover material were discussed with A&L Salvage representatives Mr. Don Rea, Liberty Waste President, Mr. Plunkett and you prior to departing the facility. We had previously been told by Mr. Callahan that the facility was using soil for daily cover. Please again note that we do not consider large boulders of shale to be acceptable soil cover material.

Within ten (10) days after receipt of this notice, please submit the following information to our office:

1. Changes in your asbestos disposal operating procedures that will eliminate future visible emission violations as discussed above. Please note that we sent A&L notices dated March 3, 2007 and August 20, 2007, informing you of previously-witnessed asbestos-related violations. The procedural changes we are now requesting should include measures above those included in previous compliance plans submitted by A&L, as they have not been effective in maintaining compliance with asbestos handling and disposal requirements. The plan should also include the dates the corrective actions have been or will be implemented.

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2. Any clarifications, responses, explanations or evidence on your behalf pertaining to the above stated violations.

PUBLIC NUISANCE, H<sub>2</sub>S EMISSIONS

NEDO and Ohio EPA's Central Office continue to receive complaints of landfill odors emanating from A&L Salvage. Residents continue to report they are unable to use their property without effects from such odors. NEDO staff continue to experience easily detectable hydrogen sulfide odors on and offsite. The continuous monitor that Ohio EPA has stationed at a nearby residence has also been recording hydrogen sulfide on a regular basis.

Be advised that this notice of violation in no way waives the right of Ohio EPA or U.S. EPA to pursue additional enforcement action. Further communications may be directed to you regarding these violations or any additional violations that may be found.

If you have any questions regarding these matters, please contact me at (330) 963-1288.

Sincerely,



Jim Veres  
District Representative  
Ohio EPA Northeast District Office  
Division of Air Pollution Control

JV:bo

pc: Dennis Bush, NEDO-DAPC  
Jennifer Kurko, NEDO-DAPC  
Darren Machuga, NEDO-DAPC  
Bob Princic, NEDO-DAPC  
Jerry Weber, NEDO-DSIWM  
Tom Kalman, CO-DAPC  
Tom Buchan, CO-DAPC  
Lisa Holscher, U.S. EPA, Region 5  
Steve Callahan, A & L Salvage, LLC  
Doug Dillon, ODOT District 11  
Michael Orosz, Dept. of Public Safety, D4 Post 15