



State of Ohio Environmental Protection Agency

Northeast District Office

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www.epa.state.oh.us

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

September 23, 2008

RE: INSPECTION FOLLOW-UP LETTER
AND NOTICE OF VIOLATION FOR
OPERATING F004 AND P002 IN
VIOLATION OF PERMIT TERMS AND
CONDITIONS
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 discuss the results of the compliance inspection performed at Carbon Limestone Landfill, LLC (Carbon) in Lowellville, Ohio on August 5 and 12, 2008 and to notify you that Carbon is operating F004 and P002 in violation of permit terms and conditions. Thank you for the cooperation exhibited and for providing all requested information during the inspection.

Background:

On August 5 and 12, 2008, Misty Koletich from the Mahoning-Trumbull Air Pollution Control Agency and I visited Carbon to determine compliance with all applicable rules and permit terms and conditions. Generally, the facility appeared to be in compliance and was being operated in a manner intended to reduce dust and odors. However, violations of permit terms and conditions were discovered for F004 and P002 and are described below.

F004 – "Mixing Pit":

The enclosure for the mixing pit has deteriorated to the point that it offers little impedance for wind. Permit-to-install (PTI) 02-7751, issued on October 30, 1996, requires that the pit be "enclosed to act as a wind break and to prevent the emission of particulate matter." Further, the particulate emission limitation was also based on a wind break being in place. The current enclosure has a roof, but no complete sides to act as a wind break in violation of the terms and conditions of PTI 02-7751 and ORC section 3704.05(C).

MR. MICHAEL HEHER
CARBON LIMESTONE LANDFILL, LLC
SEPTEMBER 23, 2008
PAGE 2 OF 3

Please submit a compliance plan and schedule detailing the steps to be taken to come into compliance with the enclosure requirement **within 21 days of receipt of this letter.**

Records for 2008 submitted to this office by Carbon indicate that a greater quantity of liquid material is being processed in the mixing pit than was originally indicated when applying for PTI 02-7751. This increase in throughput also increases the emissions of organic compounds to a level higher than allowed, in violation of the terms and conditions of PTI 02-7751 and ORC section 3704.05(C).

Please submit all daily records for calendar years 2002 through 2008 of the total gallons and tons of material throughput in the mixing pit (F004) and a compliance plan and time schedule detailing the steps to be taken to come into compliance **within 21 days of receipt of this letter.** This plan may include the estimated time frame for submitting an application to modify PTI 02-7751.

P002 – “160 KW Generator for Screening Plant Operations”:

PTI 02-1054 for P002, issued on July 9, 1997, requires that operating hours of the unit be maintained at or below 1,500 hours per year. Records indicate that from at least 2002 to 2007, this restriction has been exceeded, in violation of the terms and conditions of PTI 02-1054. In 2007, the annual operating hours were 4,681 hours.

Please submit all daily records for calendar years 2002 through 2008 of the total number of operating hours for the screening plant generator a compliance plan and schedule detailing the steps which will be taken in order to bring this unit back into compliance **within 21 days of receipt of this letter.** This plan may include the estimated time frame for submitting an application to modify PTI 02-1054.

Fee Emission Reports:

It appears that fee emission reports submitted for F004 and P002 were based on limits from the PTIs rather than actual emissions data because the actual emissions were greater than what was reported in the fee reports, in violation of Ohio Administrative Code rule 3745-78-02 and ORC section 3704.05(G).

Please submit actual emissions data for each year for calendar years 1996 through 2007 for F004 and P002 **within thirty-five (35) days of receipt of this letter.** Once this information is received, the Central Office of Ohio EPA will be consulted to determine if the fee reports should be resubmitted through the new eBusiness Center.

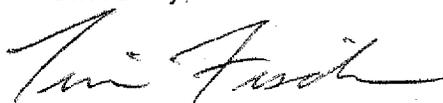
Failure to comply with the above requests may result in an enforcement action up to and including a referral to the Central Office of Ohio EPA for appropriate action.

MR. MICHAEL HEHER
CARBON LIMESTONE LANDFILL, LLC
SEPTEMBER 23, 2008
PAGE 3 OF 3

The submission of the requested information does not constitute a waiver of Ohio EPA's authority to seek civil penalties as provided in ORC 3704.06. Ohio EPA will decide whether to pursue or decline to pursue penalties regarding this matter at a later date.

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: Bob Princic, Ohio EPA, DAPC, NEDO
Lisa Holscher, U.S. EPA, Region 5
Tom Kalman, Ohio EPA, DAPC, CO