



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

November 16, 2012

CERTIFIED MAIL

Mr. Michael T. Heher
Division Manager
Carbon Limestone Landfill, L.L.C.
8100 South Stateline Road
Lowellville, OH 44436

RE: Resolution of Violation Working Face and Paved Roadway Fugitive Particulate Exceedences Observed February 2012: DAPC Facility ID: 0250070850

Dear Mr. Heher:

This letter is in response to the Notice of Violation (NOV) issued to Carbon Limestone Landfill on March 2, 2012. In the NOV, a compliance plan and schedule for achieving compliance was requested from the facility. The subsequent plan was received on March 22, 2012, and Carbon Limestone has taken the appropriate steps to bring the emissions units into compliance. The following information summarizes the violations cited, and the resolution of each.

Visible Fugitive Particulate Exceedence on Paved Roadways

During the afternoon of February 22, 2012, I documented two minutes and 17 seconds of visible particulate emissions during a 15 minute period from the paved roadway south of the scale house and south of the overhead bridge. PTI P0105125 issued August 5, 2009, allows for no visible particulate emissions except for one minute in any sixty-minute period from the paved roadways and parking areas, emissions unit F001.

The violation was corrected the same day with use of the water truck. Carbon Limestone Landfill has reviewed with landfill management and operation personnel the dust control requirements in the permit and has committed to be more vigilant during the winter month.

Visible Fugitive Particulate Exceedence on the Working Face

During February 24, 2012, excessive fugitive particulate emissions were observed on the working face, both from truck dumping and from the small dozer working the material. Method 9 readings documented a period of 27% opacity as a three-minute average from working face. Additional time of high opacity occurred immediately prior to the beginning of the observation period and on February 22, but was not documented with Method 22 readings.

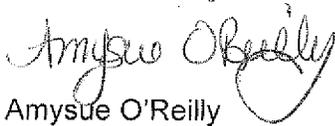
You confirmed during my on November 7, 2012, site visit that a training session for the working face personnel occurred in October 2012 to review proper procedures for handling potentially dusty material. Further, you stated that Carbon Limestone Landfill has now refused waste streams from some customers that were the sources of opacity exceedences.

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With the corrective actions taken to bring the sources into compliance, as indicated above, the referenced violations are considered resolved. Please note, however, that this does not preclude Ohio EPA's authority from seeking civil penalties pursuant to ORC section 3704.06 for these violations. The decision on whether to pursue or decline to pursue such penalties regarding this matter is dependent on several factors, one of which is the company's future compliance with applicable Ohio EPA requirements.

Should you have any questions concerning this letter, please contact me directly at (330) 963-1298.

Sincerely,



Amysue O'Reilly
Environmental Specialist
Division of Air Pollution Control

AO:bo

ec: Misty Koletich, Ohio EPA, DAPC-NEDO
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