



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

Re: Erie County  
0322010254  
Erie County Sanitary Landfill  
**Inspection Letter &  
Notice of Violation (NOV/non-HPV)**

February 15, 2013

CERTIFIED MAIL

Mr. Fred Dubbert  
Erie County Sanitary Landfill  
10102 Hoover Road  
Milan, Ohio 44846

Dear Mr. Dubbert:

This letter shall serve as a follow-up to the inspection conducted on January 31, 2013, of Erie County Sanitary Landfill by Miranda Garlock and Mohammad Smidi of the Division of Air Pollution Control (DAPC). The purpose of the inspection was to determine the compliance status of all air contaminant sources located at the facility.

Based on my discussions with Bob Sennish, my observations during the inspection, and a review of the company's files my findings are as follows:

1. Mr. Sennish inquired about the status of the review of the "Non-Regulated Asbestos Disposal Operating Procedure and Spill Contingency Plan" provided to DAPC on April 17, 2012. The report was initially reviewed and accepted by Tom Sattler, Testing Supervisor of DAPC, on May 7, 2012. Ms. Garlock asked Mr. Sattler and Mr. Josh Clifton, DAPC's asbestos inspector, to provide any feedback on the plan. Based on their recent review of the plan, Mr. Clifton has asked that the plan be revised to identify that at least 12-inches of cover of soil and/or municipal solid waste must be used as cover when handling suspected or any non-regulated asbestos containing material that maybe or may become friable.
2. As discussed during the inspection, visible emissions (VEs) were observed from the facility's unpaved roadways. As Mr. Sennish indicated, weather conditions the day of the inspection were windy and temperatures were below freezing and therefore water could not be used as a control method on the roadways. Mr. Sennish indicated that on days when the facility cannot apply water to the roadways to help control fugitive dust, drivers are asked to reduce their speeds. The facility has a posted speed limit sign of 15 miles per hour but asks that drivers reduce speed to below 10 miles per hour on days when water control cannot be used. The facility's inspection lasted approximately one hour and fifteen minutes and Method 22 readings were not conducted during the inspection because the facility was trying to enforce the reduced speed limit and a limited amount of truck traffic was observed.

However, after leaving the facility for approximately one hour and returning to observe roadway conditions, drivers still did not appear to be following the reduce speed limit and the facility was unable to eliminate the presence of VEs. Method 22 visible emission observations were conducted on the unpaved roadway leading to the working face, the three minute permit standard of no VEs was violated within six minutes of the observation period (between 12:10 pm and 12:16 pm) after just five trucks had traveled the roadway. This is a violation of the visible emission limitations established for the facility's unpaved roadways in Permit to Install (PTI) 03-13576 issued July 2, 2002 and the Title V Permit to Operate (PTO) P0086947 issued January 1, 2009 and ORC 3704.05.

3. Monitoring and recordkeeping requirements for emission unit F002 indicate that the permittee shall perform inspections on landfill fugitive dust operations/sources once during each day of operation. Sections b)(2)d. and d)(2) of PTI P0107310, identifies six separate landfill fugitive dust operations/sources associated with F002. Currently, the facility is maintaining records during each day of operation for emissions created from F002 when a control measure was implemented but is not keeping information on the total number of days the control measures were implemented separately for each of the six fugitive dust operations/sources as required under d)(4) of PTI P0107310. DAPC requested the facility revise the log forms to separate the six fugitive dust operations/sources.
4. It is our understanding that through recent litigation which has occurred between Bio-Gas Technologies Ltd. (Premise No. 0322000295) and the Erie County Sanitary Landfill, the candle stick flare will now be owned and operated by Bio-Gas Technologies Ltd. Therefore, emissions associated with the flare and monitoring and reporting associated with the flare would no longer be the obligation of the Erie County Sanitary Landfill but would be the responsibility of Bio-Gas Technologies, Ltd. In order to reflect current site conditions, DAPC would recommend that Erie County Sanitary Landfill submit an administrative modification to PTI P0107310 and a Title V PTO minor permit modification to TV PTO P0086947 issued January 1, 2009 for P901 to remove the terms and conditions associated with the operation of the flare.
5. The TV permit for the facility expires on January 1, 2014; therefore, Erie County Sanitary Landfill is within the eighteen month window in which to submit a permit renewal application. A renewal permit application must be submitted by July 1, 2013. Please reference the TV permit for more information regarding this application.

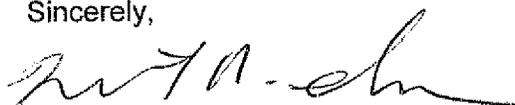
I would like to thank you for the courtesy extended during our visit. The company's written response to this letter is requested by **March 15, 2013**. It should be submitted to Ohio EPA, Northwest District Office and contain a compliance plan to remedy the observed situation noted in No. 2 above and prevent this, or any similar situation, from occurring in the future.

Please be advised that the submission of the requested information to respond to this letter does not constitute waiver of the Ohio EPA's authority to seek civil penalties pursuant to ORC Section 3704.06. The Ohio EPA will make a decision on whether to pursue or decline to pursue such penalties regarding this matter at a later date.

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Should you have any questions or comments concerning this letter, please feel free to contact me at (419) 373-3069 or electronically at [Miranda.Garlock@epa.ohio.gov](mailto:Miranda.Garlock@epa.ohio.gov).

Sincerely,



Miranda R. Garlock  
Division of Air Pollution Control

/cg

pc: Certified Mail Receipt Number 7011350000082041916

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