



Mike DeWine, Governor
Jon Husted, Lt. Governor
Laurie A. Stevenson, Director

March 15, 2021

Marc Barr
Health Commissioner
Meigs County Health Department
112 E. Memorial Drive, Suite A
Pomeroy, OH 45769

Re: Meigs County Health Department
Director's Authorization
Approval
Health District Partners
Meigs
HD5300

**Subject: Placement on the director's approved lists
Solid & Infectious Waste Programs
C&DD Program**

Dear Mr. Barr:

On December 29, 2020, the Ohio Environmental Protection Agency (Ohio EPA) completed its annual survey of your health district regarding your Solid and Infectious Waste Programs and Construction and Demolition Debris Program in accordance with Ohio Administrative Code (OAC) Rule 3745-37-08. The annual survey included the time period between January 1, 2020 and December 29, 2020.

Upon review of the survey findings, I have determined that the Meigs County Health Department is in substantial compliance and I hereby place the Meigs County Health Department on my approved lists of health districts authorized to administer and enforce the solid and infectious waste and construction and demolition debris laws and rules in accordance with Sections 3734.08 and 3714.09 of the Ohio Revised Code.

Additionally, you are hereby notified that this action of the Director is final and may be appealed to the Environmental Review Appeals Commission pursuant to ORC Section 3745.04. The appeal must be in writing and set forth the action complained of and the grounds upon which the appeal is based. The appeal must be filed with the Commission within thirty (30) days after notice of the Director's action. The appeal must be accompanied by a filing fee of \$70.00 made payable to "Treasurer, State of Ohio." The Commission, in its discretion, may reduce the fee if by affidavit it is demonstrated that payment of the full amount of the fee would cause extreme hardship. Notice of the filing of the appeal shall be filed with the Director within three (3) days of filing with the Commission. Ohio EPA requests that a copy of the appeal be served upon the Ohio Attorney General's Office, Environmental Enforcement Section. An appeal may be filed with the Environmental Review Appeals Commission at the following address:

Environmental Review Appeals Commission
30 East Broad Street, 4th floor
Columbus, Ohio 43215

I consider our agencies regulatory partners and appreciate the efforts of your dedicated staff. I recognize the extraordinary role your agency has played in addressing the COVID-19 pandemic, and the challenge this incredible response may have had on health district staffing and implementation of your Solid and Infectious Waste and Construction and Demolition Debris programs. If at any time Ohio EPA can provide assistance to support these programs, please encourage your staff to contact Ohio EPA's Southeast District Office.

Enclosed please find a copy of the annual survey evaluation report for your health district, which includes an assessment of administrative activities. Please note that this annual survey evaluation has been modified due to the COVID-19 pandemic, which may have adjusted the survey period and the conventional scope of file review and field inspections. Ohio EPA hopes to resume the normal evaluation procedure for future annual surveys. If you have questions or comments regarding the manner in which our agencies administer these programs, please contact me or Vlad Cica, Chief of the Division of Materials and Waste Management.

If you have any questions concerning this letter, please contact Dan Bergert of Ohio EPA's Southeast District Office by telephone at (740) 380-5438.

Sincerely,



Laurie A. Stevenson
Director

Enclosure: 2020 Annual Survey Evaluation Report

cc: Brian Dearth, DMWM-CO
Ralph McGinnis, DMWM-CO

Annual Survey Evaluation Report

Ohio EPA's Delegation of the Solid & Infectious Waste and Construction & Demolition Debris Programs to Local Health Districts

Health District: Meigs County Health Department Core ID: 437249 Secondary ID: HD5300	Survey Period: Start Date: 1/1/2020 End Date: 12/29/2020 Ohio EPA Inspector: Dan Bergert
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Administrative Review

A health district either meets program requirements (Y), does not meet program requirements (N), or requirements are not applicable (N/A). Upon review of health district records and other documentation, Ohio EPA made the following conclusions:

	Solid & Infectious Waste (ORC 3734)			Construction & Demolition Debris (ORC 3714)		
	Y	N	N/A	Y	N	N/A
OAC Rule 3745-37-08(C)(1) and (D)(1)	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Applications for licenses are on file for each licensed solid waste, infectious waste treatment, or C&DD facility in the health district.						
OAC Rule 3745-37-08(C)(2) and (D)(2)	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Applications are properly completed with all required information.						
OAC Rule 3745-37-08(C)(3) and (D)(3)	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
All known solid waste, infectious waste treatment, and C&DD facilities operating in the health district do hold valid and unexpired licenses.						
OAC Rule 3745-37-08(C)(4)	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>			
No license has been issued for any new solid waste or new infectious waste treatment facility prior to the director's issuance of required permits and approval of required detail plans.						
OAC Rule 3745-37-08(C)(5) and (D)(4)	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Certification of inspection and compliance has been made to the director within thirty days after issuance of any license.						
OAC Rule 3745-37-08(C)(6) and (D)(5)	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
The health district inspects solid waste, infectious waste treatment, and C&DD facilities with sufficient frequency to ensure substantial compliance.						

	Solid & Infectious Waste (ORC 3734)			Construction & Demolition Debris (ORC 3714)		
	Y	N	N/A	Y	N	N/A
OAC Rule 3745-37-08(C)(7) and (D)(6)	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
The health district maintains a file of information relating to each licensed solid waste, infectious waste treatment, and C&DD facility throughout each facility's operation and applicable closure periods. Each file includes applications for licenses, certification records, inspection records, approved plans, litigation information (except that privileged by the attorney-client relationship), and other pertinent information.						
OAC Rule 3745-37-08(C)(8) and (D)(7)	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
The health district undertakes appropriate actions against persons whenever necessary to bring about substantial compliance with Chapters 3734. and 3714. of the Revised Code and rules adopted thereunder.						
OAC Rule 3745-37-08(C)(9) and (D)(8)	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
The health district takes immediate action to abate serious hazards to the public health resulting from violations of Chapters 3734. and 3714. of the Revised Code and rules adopted thereunder.						
OAC Rule 3745-37-08(C)(10) and (D)(9)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
The health district complies with applicable facility license transfer procedures.						
OAC Rule 3745-37-08(C)(11) and (D)(10)	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
The health district seeks legal assistance from appropriate state and local agencies as necessary to carry out its assigned responsibilities.						
OAC Rule 3745-37-08(D)(11)				<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Each health district staff person possesses either a registered sanitarian/sanitarian-in-training certificate, the equivalent educational background required, or two years adequate work experience inspecting waste facilities.						
OAC Rule 3745-37-08(D)(12)				<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
The health district maintains a file of information relating to each exemption and license special term/condition. The file includes a copy of each exemption order issued and each license issued that contains special terms and/or conditions, as well as the health district's written justification for each action.						

Comments:

OAC Rule 3745-37-08(C)(8) and (D)(7):

The health district undertook appropriate actions against persons whenever necessary to bring about substantial compliance. The administrative review of health district files found that the health district received forty-four (44) solid waste complaints during the survey period. The health district responded to all complaints in a timely manner. Thirty-three (33) solid waste complaints have been resolved. Three (3) cases were referred to the county prosecutor. The health district will continue to notify the landowners of the eight (8) complaints in writing of observed violations and perform follow-up

inspections until all violations are abated. If noncompliance continues, the health district refers unresolved cases to the Meigs County Prosecutor's office.

OAC Rule 3745-37-08(C)(9) and (D)(8):

No serious public health hazards resulting from violations of the solid and infectious waste rules or construction and demolition debris rules were on record for this survey year.

Additional Comments:

During the survey period, the health district used part of its Ohio EPA Mosquito Control Grant award and its personnel to cleanup a large tire and trash dump. This resulted in the removal and disposal of approximately 300 tires and eight tons of solid waste. The health district also oversaw the successful cleanup of a large solid waste and demolition debris dump site.

On June 11, 2020, the health district responded to a complaint concerning open dumping and open burning of solid waste and construction and demolition debris at 32657 Happy Hollow Road, Middleport, Meigs County. Based on its observations, the health district determined that the property owner had inherited the property and significant dumping likely occurred decades earlier. Reportedly, a recent hill slip uncovered and pushed historic waste approximately thirty feet into the woods. The health district interviewed the property owner (Ms. Lisa Compson) and other parties and sent notice of violation letters citing open dumping. The health district performed follow-up inspections and worked cooperatively with the responsible parties until all solid waste and construction and demolition debris was removed for recycling or landfill disposal. The property was later graded and seeded. The health district was responsive to Ohio EPA inquiries throughout the complaint investigation.

Field Surveys

Due to the ongoing COVID-19 Pandemic, field surveys could not be conducted by Ohio EPA staff.

Facility & Inspection Inventory From: 1/1/2020 To: 12/29/2020			
Facility Name	Facility Type & Minimum Inspection #	Comprehensive Inspections Completed	"Other" Inspections Completed
Meigs County Transfer Facility	SW Transfer Facility (4)	4	0
Karrten Enterprises	Closed C&DD Landfill (1)	1	0
Meigs County Landfill	Closed SW Landfill (4-30 yrs p-cc) (1)	1	0

Inspection Summary

The health district performed the required facility inspections despite resource strains due to its COVID-19 pandemic response. At this time, the health district intends to continue facility inspections and should notify Ohio EPA if circumstances change.

Solid and Infectious Waste Programs Summary

The health district conducts all required comprehensive inspections at licensed and registered facilities within its jurisdiction to ensure compliance with the solid and infectious waste regulations. Additionally, I observed no deficiencies during the administrative review of the annual survey. The health district appropriately documents violations with a notice of violation letter to the property owner or facility operator detailing any violations, including rule citations and any additional information from the inspection. The health district does request a response on actions taken to remedy or prevent the violation from recurring and conducts re-inspections to ensure that compliance is achieved. The health district effectively manages solid waste complaints and has procedures in place to escalate enforcement if necessary.

It is the role of Ohio EPA to provide oversight and education to the health district in each of the programs outlined in this letter. The health district's ability to recognize, identify and cite violations in all program areas, as well as familiarity with the regulations during all types of inspections is critical to complete thorough site evaluations and enforcement of the regulations. The health district staff periodically called or emailed Ohio EPA's staff for technical assistance within the program areas. Ohio EPA will continue to conduct peer reviews of inspection letters and provide technical assistance to the health district, as necessary.

Construction and Demolition Debris Program Summary

The health district investigates and documents complaints in a timely manner, as appropriate.

On August 13, 2018, the health district sent written notification to Karrten Enterprises, LTD concurring with closure of Karrten C&DD Landfill, which commenced the five year post-closure care period. Not later than August 13, 2021, Karrten Enterprises, LTD must submit to the health district a third anniversary report pursuant to OAC Rule 3745-400-16(E)(8), including leachate data. Past health district inspections found the leachate storage tank to be near full. Ohio EPA is available to assist the health district during its review of this post-closure care report.

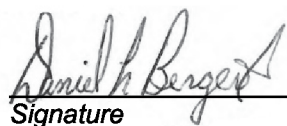
On December 14, 2020, the health district performed an inspection of the closed Karrten C&DD Landfill and observed the following violations: erosion rills within the soil cap system, dense vegetation was not established, and leachate entered and likely breached the secondary containment system. The health district sent a notice of violation letter to the facility owner that described the site conditions, cited the violations, and requested a corrective action plan. Karrten Enterprises, LTD has since agreed to meet with the health district to review site conditions and take corrective measures this spring. Ohio EPA recommends that the health district perform increased follow-up inspections and send notice of violation letters to the facility owner until leachate management and other post-closure care violations are fully resolved. The health district should request the facility owner to submit disposal receipts monthly to ensure leachate is lawfully disposed at a permitted wastewater treatment plant. The health district should take appropriate action, which may include board of health orders or escalated enforcement, to bring about substantial compliance. Ohio EPA is available to support the health district in taking appropriate steps to ensure landfill leachate is properly managed and other required post-closure care obligations are performed by the facility owner.

Post-Survey Conference

I held a virtual post-survey conference on January 4, 2021, with Mr. Steve Swatzel, Environmental Health Director. During the post-survey conference, we discussed the health district's compliance with

ORC Sections 3734.08 and 3714.09. I informed Mr. Swatzel that, based on my observations during the survey, I would be recommending the health district remain on the director's approved lists.

This Annual Survey Evaluation Report (Report) is for internal use to perform a preliminary assessment of approved health districts. It is not to be used as an indication of a health district's overall compliance with OAC Rule 3745-37-08, which is a determination of the director of Ohio EPA. This Report and any accompanying information will be forwarded to the director for consideration and to determine substantial compliance with Rule 3745-37-08 of the Administrative Code.



Signature

February 19, 2021

Date

Daniel L. Bergert, R.S.
Environmental Specialist
Division of Materials and Waste Management
Ohio Environmental Protection Agency
Southeast District OfficeSoutheast District Office