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RECEIVED

Laurie Stevenson, Director
Ohio Environmental Protection Agency
50 E. Town Street Suite 700
P.O. Box 1049
Columbus, OH 43215

Certified Mail

May 26, 2021

**RE: Verified complaint #1 and notarized affidavit;
Lordstown Construction Recovery, LLC Landfill non-compliance**

Dear Director Stevenson,

As authorized under Ohio Law, Mark Schmidt submits for your consideration and prompt review this verified complaint regarding the subject of the complaint of numerous violations by the Lordstown Construction Recovery Landfill, LLC ("LCR"), located in Lordstown, Ohio.

It is very likely there are current violations and there will be continued future violations if this matter is not resolved. As outlined below, the many actions by LCR violate the Ohio Revised Code, the Ohio Administrative Code, the Ohio EPA's 11/23/2016 Director's Final Findings and Orders ("consent order"), the facility's various Ohio EPA air permits, the facility's Ohio EPA NPDES permit and the Clean Water Act.

Standing

Mark Schmidt was an employee for more than 15 years of LCR or its parent companies: Lafarge, LafargeHolcim and/or Aggregate Industries Management, Inc ("the Company", depending on the year, corporate mergers and the reorganizations). The Complainant is a resident of the neighboring Portage County, but has been directly and adversely affected, both physically and psychologically, by the illegal actions of LCR and enduring the Company's open disregard for health, safety and environmental regulations.

The Complainant was exposed and sickened multiple times at the landfill. Symptoms include nausea, vomiting, chronic headaches, chronic fatigue, bleeding from multiple orifices, confusion, short-term amnesia and significant memory loss. The long-term health and psychological effects are still being monitored.

The Complainant was diagnosed with carbonyl sulfide poisoning — one of the many toxic gases detected in high concentrations in LCR's shallow landfill gas. Upon request, the Complainant can provide the Ohio EPA with medical records and with the Complainant's exposure incident reports.

The Complainant is aware that one of your own Ohio EPA landfill inspectors was hospitalized in 2017 after falling ill with serious symptoms due to exposure to LCR's noxious landfill gas.

The Complainant has also personally conversed with past and current landfill employees, as well as heard LCR neighbors, who openly complained about the above symptoms. LCR and the Company blatantly continues to regard these complaints, symptoms and effects simply as fiction.

As a previous Ohio EPA landfill inspector and supervisor, the Complainant is familiar with many of Ohio's regulations and is committed to protection of Ohio's natural resources. The Complainant suffers from anxiety and depression due to the deep concern of excessive on-going environmental violations at LCR, the impact of the unchecked operation on the health of its workers, quality of life and health of his local citizens and the failure of the Ohio EPA — particularly the Trumbull County Combined Health District — to take bona fide action against LCR's open disregard for the law.

The specific violations, with supportive documentation, are detailed within this complaint.

Background

LCR's extensive history of non-compliance is illustrated by the 40 separate enforcement actions taken since 2015 (see Exhibit A). However, LCR continues to operate with clear indifference to the law (ORC 3714), the regulations (OAC 3745-400), the requirements of the Ohio EPA's 11/23/2016 consent order, to the intent of the Ohio EPA's 10/30/2019 consent order as well as to LCR's air and surface water permit conditions. These failures of compliance are all to the detriment of the landfill's workers, the landfill's neighbors and to Ohio's environment.

LCR is affiliated with LafargeHolcim ("The Company") and/or Aggregate Industries Management Inc. and is one of the largest landfills in Ohio. LCR is only approved to accept for disposal construction and demolition wastes ("C&D") and is not approved to accept municipal solid waste (MSW), garbage, yard waste, liquids, tires, asbestos, hazardous wastes, infectious wastes, Universal wastes, household hazardous wastes, sewage sludge, industrial or residual waste or radioactive waste.

LCR has annually disposed of more than one million cubic yards of waste since 2004 and has accepted more than 100,000 railcars of various wastes. LCR also receives about 10,000 trucks of waste annually. Approximately 90% of the waste is brought to the landfill by the CSX rail system from independent waste transfer stations located on the East Coast and New England. LCR's waste is received from New York, New Jersey, Connecticut, Massachusetts and Pennsylvania with minor volumes being trucked from within Ohio.

The Company and LCR does not have a railcar waste inspection program from point of generation, or at any of the remote transfer stations, nor upon the arrival at the landfill until its final disposal. In other words, the Company and LCR *hasn't any insight whatsoever* of the type or condition of the waste being delivered.

In violation of its Ohio EPA air permits, LCR has not implemented an on-site railcar inspection program or any off-site transfer station environmental audit program and as a result, the *acceptability of the waste relies on the sole discretion of LCR's out-of-state waste customers*.

As a previous Company employee, the Complainant had created and tried to implement a detailed waste inspection and environmental audit program but the Company and LCR refused to

utilize it even after several written requests to do so. Additionally, the Complainant requested and was denied permission by his superiors to visit, view, inspect or audit any out of state waste sources over a span of more than 15 years. The Complainant is unaware if any LCR or Company-employed environmental specialist has ever audited any of LCR's out-of-state waste sources since the inception of the landfill operations.

Complaint

Detailed below are the specific violations at LCR as seen personally by the Complainant, as well as supportive satellite images of those violations and the Complainant's requested actions for the Ohio EPA in each case.

Exhibit B is a satellite image of LCR's 135-acre operation and the surrounding neighborhoods. This was obtained from Google Maps on 5/13/2021. The image attribution is: Imagery © Landsat/Copernicus, Naxar Technologies, State of Ohio/OSIP, US Geological Survey, USDA Farm Service Agency Map data © 2021.

Exhibit C and D are expanded views of this same satellite image, attributed to Imagery © Landsat/Copernicus, Naxar Technologies, State of Ohio/OSIP, US Geological Survey, USDA Farm Service Agency Map data © 2021, show LCR's active disposal area. In this image, modified 100 cubic yard landfill trucks can be seen hauling to and away from the disposal area as well as unloading directly onto the working face.

The massive trucks unload directly unto the working face which is a practice in direct violation of OAC 3745-400-11(F)(4)(a) and (b) and (F) (6) which require that a specific unloading zone be prepared and operated so that the incoming wastes can be spread out and unacceptable wastes identified and removed, prior to final disposal in the working face. These regulations read:

(4) The owner or operator shall deposit incoming loads of debris at a designated unloading zone where the debris shall be inspected and prohibited wastes shall be removed, unless the owner or operator has received approval of and has implemented a pre-acceptance debris screening program at the facility. If the owner or operator is implementing a pre-acceptance debris screening program that has been approved by the licensing authority through the license application, the owner or operator is not required to establish a designated unloading zone.

(a) The owner or operator shall unload the debris in clearly designated and marked unloading zones separate from the working face. Unloading zones may be temporary and adjacent to the active working face. Upon inspection of the unloaded debris, the owner or operator shall remove prohibited materials prior to placing the debris on the working face. No prohibited materials are permitted to be disposed at the working face. The owner or operator shall remove any prohibited material found at the working face.

(b) The owner or operator shall clearly mark the limits of the unloading zone with at least two temporary markers.

(c) Once prohibited materials are removed, the owner or operator shall spread and compact the debris on the working face. When debris is deposited on the working face, it shall be spread evenly over the working face and compacted to the smallest practical volume.

Additionally, the expanded satellite images, attributed to Imagery © Landsat/Copernicus, Naxar Technologies, State of Ohio/OSIP, US Geological Survey, USDA Farm Service Agency Map data © 2021, demonstrate that there were no workers observable (called "pickers") that could perform the function of identifying and removing unacceptable material.

This is a violation of OAC 3745-400-11 (F) (6):

(6) The owner or operator shall attempt to remove all solid wastes from the construction and demolition debris prior to disposal of construction and demolition debris on the working face of the facility as required under section 3714.021 of the Revised Code.

LCR has been previously cited for this violation but is unwilling to meet the rule as it would reduce its production rate of approximately 1,000 cubic yards *per hour*. That rate of disposal is approximately equivalent to unloading one curbside garbage truck *per minute*. At such an incredible disposal rate it is a practical impossibility to have the material spread out, inspected and any potentially solid or hazardous wastes removed, while workers also try to avoid the continuous push of 100,000-pound waste compactors with steel spikes.

This satellite image is not a “bad luck coincidence” but the unexpected capture of an ordinary day at the Lordstown Landfill.

As a consequence, solid and hazardous wastes are permanently disposed in LCR which has not been required to install a Subtitle D liner system for protection of the groundwater. Worse yet, the original 30-acre landfill does not have the minimum clay liner and the entire remaining landfill parcels are laterally connected to this zone, directly or indirectly, through the subsurface.

Additionally, due to poor planning and consulting work, the original landfill excavation cut through two natural groundwater zones and they are now in permanent juxtaposition with the landfill’s decomposing waste. Millions of gallons of groundwater must be pumped annually, and in perpetuity, to keep the groundwater from entering the waste mass.

The Complainant has direct knowledge that LCR maintains a large remote camera relay system throughout the facility that continuously records the activities of workers and various neighbors’ residences on Newton Falls Bailey Road, particularly where the Ohio EPA maintains its H₂S toxic gas monitoring station. LCR’s large split screen monitors are located in the landfill manager’s and the landfill supervisor’s offices located on the second floor of the landfill’s office.

- *The Complainant requests that the Ohio EPA enforce the landfill disposal regulations, require LCR to implement a bona fide unloading zone and employ trained pickers to identify and cull unacceptable wastes from the unloading zone prior to placing the waste into the working face for final disposal.*
- *The Complainant requests that the Ohio EPA order LCR to re-position several of its on-site full-time recording cameras to view and record the landfill such that unloading zone and disposal compliance can be verified by regulators.*

Waste at LCR is unloaded at three distinct locations.

The first unloading area is for small railcars (under 200 cubic yards) which are unloaded at LCR’s rotary dumper machine. Exhibit E is an expanded view of this operation of the Google Maps satellite image previously referenced.

The image is attributed to Imagery © Landsat/Copernicus, Naxar Technologies, State of

Ohio/OSIP, US Geological Survey, USDA Farm Service Agency Map data © 2021.

The Complainant has knowledge that CSX charges by the railcar and not by weight, and as such waste suppliers maximize their payloads by pulverizing the C&D. The waste is ultimately rendered unidentifiable which is in direct violation of the Ohio Revised Code and OAC 3745-400-11(F)(1) which states:

(1) The owner or operator shall not accept pulverized debris. The owner or operator shall manage and remove pulverized debris in accordance with sections 3714.081 and 3714.083 of the Revised Code.

As understood by the Ohio EPA, waste identifiability is critical to environmental protection, to the community's safety and to protect against personal injury. Dangerous liquids, sludges and hazardous waste can be mixed into the pulverized, mulch-like C&D and rendered invisible. This system of hiding illegal wastes within C&D is called "cocktailing" and is practiced by some transfer station operators where these unacceptable wastes can cost up to ten times the C&D disposal rate.

The Complainant has direct knowledge that cocktailed loads containing thousands of tons of rancid New York sewage sludge have been accepted and disposed at LCR. The Complainant has also personally seen, photographed and written to Company management regarding the receipt of asbestos waste, unknown liquids, medical waste and materials marked as radioactive waste.

Yet, LCR has not implemented an on-site railcar inspection or any off-site transfer station environmental audit program and the *acceptability of the waste continues to rely on the sole discretion of LCR's remote, out-of-state waste customers.*

The activity at the rotary dumper is also in violation of LCR's Ohio EPA air permit P0110455, condition (C) (2) which states that "*All materials shall be inspected...prior to unloading...*":

- (2) All materials shall be inspected and all shipping papers reviewed prior to unloading to ensure no undesirable materials are included in the shipment. No Regulated Asbestos-Containing Materials (RACM), hazardous wastes, infectious wastes, materials contaminated with radioactive materials, or materials contaminated with PCBs shall be handled in this emissions unit.

The Complainant is unaware that any Company employed environmental specialist has ever audited any of LCR's out-of-state waste sources since the inception of the landfill operations.

Please note that in Exhibit E, a dark, toxic dust plume was disgorged at the rotary dumper as a railcar was being quickly turned over and dumped.

The significantly less stringent Ohio EPA C&D disposal regulations suggest that C&D waste is considered less potentially dangerous to the community and to the environment than municipal solid waste. However, the Complainant's 40 years of experience supports that C&D is at least as potentially impactful as MSW. C&D is not just "bricks and wood".

According to several industry sources, the average building being demolished in the East Coast

is approximately 100 years old, which is long before the creation of the US EPA in 1970. This means that the residential, commercial, agricultural and industrial buildings that are being demolished, pulverized and sent for disposal at LCR were constructed with many different materials which have since been banned.

These banned substances, which are common in C&D waste, include lead, PCB and cadmium-contaminated painted materials, asbestos insulation, formaldehyde treated paneling, arsenic treated wood, PCB-oil soaked factory floors, mercury in thermostats and fluorescent lights and barn wood soaked with pesticides like DDT. The list goes on and on.

Additionally, there is no regulatory requirement for old homes, vacated factories, abandoned barns or empty medical offices to be cleaned out of chattel and or loose materials prior to demolition. The removal of stored then abandoned materials such as household hazardous waste, waste filled drums, discarded medical waste from closed doctor's offices, loaded septic tanks, methylene chloride contaminated paint removers, dry cleaning solvents, discarded radium paint, pesticide containers, tires, lead batteries and flammable and explosive materials such as propane tanks, is at the sole discretion of the demolition contractors, the transfer stations and LCR.

It has already been established that there is little financial incentive for demolition contractors, transfer stations and haulers to remove these materials due the prohibitive disposal costs in on the East Coast and New England. This, coupled with the complete lack of waste auditing by the Company and LCR and the absence of bona fide inspections by the Ohio EPA and the TCCHD, has created a perfect storm for unregulated waste flow.

As a consequence, the resultant dust created daily at LCR may contain any and every kind of toxic particle and regularly contaminates the air of the workers and the neighbors.

Fires are not uncommon at LCR due to discarded items such as propane and gasoline containers, roadside flares, burn barrels, ignitable laboratory wastes and other flammable materials not removed from buildings targeted for demolition.

- *The Complainant requests that the Ohio EPA enforce the C&D and solid waste regulations, as well as LCR's air permits, and require LCR to implement a waste inspection program prior to unloading incoming waste.*
- *The Complainant requests that The Ohio EPA sample the pulverized rotary dumper waste for metals, volatile organics, pesticides, PCB's, radionuclides, sewage bacteria and dioxin.*
- *The Complainant requests that the Ohio EPA order LCR to re-direct several cameras to record the rotary dumper operation such that compliance can be verified.*

The second method of waste unloading at LCR involves large railcars (over 200 cubic yards) which cannot fit in the rotary dumper. These railcars are unloaded by excavator along LCR's innermost on-site tracks. The waste appears shredded and is unidentifiable and is in violation of OAC 3745-400-11 (F)(1).

There is significant spillage of the waste during LCR's crude open-air dig-out process and the uninspected, un-removed solid and infectious wastes lie on the ground while precipitation creates waste contact water (leachate). See Exhibit F, which is an expanded view of the previously referenced satellite image is attributed to: Imagery © Landsat/Copernicus, Naxar Technologies, State of Ohio/OSIP, US Geological Survey, USDA Farm Service Agency Map data © 2021.

The spillage of solid waste is in direct violation of OAC 3745-400-11(F)(3) which states:

(3) The owner or operator of a facility shall not dispose of any solid wastes except as follows:

(a) Packaging which results from the use of construction materials may be disposed if it is incidental to the load.

[Comment: A load of packaging materials cannot be disposed of by a construction and demolition debris facility because the packaging is not incidental to the load.]

(b) Tree stumps, trunks and clean branches exceeding 4 inches (25 cm) in diameter may be disposed. For the purpose of this rule, clean branches mean those without leaves and smaller branches attached.

This activity is also in violation of the 11/23/2016 Ohio EPA consent Order #2 which states:

2. Within forty-five (45) days after the effective date of these Orders, Respondents shall submit, in accordance with Section XII. of these Orders, a plan for eliminating the creation of leachate at the rail unloading area by implementing best management practices (BMPs). If Respondents incorporate the use of a holding tank, collection pond, or treatment system as a BMP for the rail unloading area, Respondents shall submit a permit to install application as described in Order 4.

Leachate is continuously generated during railcar unloading as the waste spillage on the inside tracks cannot be readily cleaned as the locomotive is constantly moving railcars along those tracks while the tracks and ties must be cleaned by hand as mobile equipment cannot clean between them.

The spilled solid waste is neglected for weeks at a time. LCR employs WMPs or *Worst Management Practices* which are not environmentally friendly practices at all.

The tracks are not cleaned every day, as LCR likes to claim. The satellite image shows spilled waste on the tracks next to a row of railcars that have not been unloaded yet.

Precipitation continuously falls on the spilled C&D, solid waste and medical wastes creating waste contact water or leachate. No leachate collection system, tanks, liner or roof system have been installed by LCR to prevent pollution.

This is also in violation of the 11/23/2016 Ohio EPA consent order, Order #4 (A), which reads:

4. Within one hundred and twenty (120) days after the effective date of these Orders, Respondents shall submit, in accordance with Section XII. of these Orders, one or more permit to install ("PTI") applications that shall include detailed plans, agency forms with schedules for construction, and any necessary technical specifications for the following facility collection or treatment systems Respondents intend or are required to install:
 - A. Collection tanks or ponds and conveyance structures for collecting the leachate contaminated storm water in the rail unloading area for: (1) hauling it off site to a permitted wastewater treatment plant; or (2) treating it on site;

It is unclear why the Ohio EPA has failed to enforce these orders.

This activity is also in violation of LCR's Ohio EPA air permit # P00111960 "Operational Restrictions" (C) (2), which states that *all materials shall be inspected... prior to unloading*:

- (2) All materials shall be inspected and all shipping papers reviewed prior to unloading to ensure no undesirable materials are included in the shipment. No Regulated Asbestos-Containing Materials (RACM), hazardous wastes, infectious wastes, materials contaminated with radioactive materials, or materials contaminated with PCBs shall be handled in this emissions unit.

LCR's railcar one-sheet, nearly illegible railcar shipping papers are a pencil-whipping hoax that attempts to give the appearance of having "waste control".

The Company's and LCR's abject neglect is the complete antithesis of RCRA's Cradle to Grave waste control program.

Worse yet, the existing topography of the dig-out operation is such that the drainage goes directly from the spilled waste to LCR's sedimentation basin #4. Please see Exhibit G, which is an expanded view of that area on the previously mentioned satellite image and is attributed to: Imagery © Landsat/Copernicus, Naxar Technologies, State of Ohio/OSIP, US Geological Survey, USDA Farm Service Agency Map data © 2021.

C&D, solid wastes and leachate flow directly into storm water basin 4 and then soaks into the subsurface or discharges into an unnamed tributary of Duck Creek.

Another satellite image on a separate date from the above example is also attributed to Imagery © Landsat/Copernicus, Naxar Technologies, State of Ohio/OSIP, US Geological Survey, USDA Farm Service Agency Map data © 2021. Exhibit H, and expanded exhibits I, J and K also show this same non-compliant condition with wastes spilled onto the ground and in the basin's water.

This is a different satellite image on a different day but captures the same conditions: waste spillage, leachate drainage and unlawful water contamination. The contamination of the

sedimentation basin is definitive in Exhibit K.

This is not a fluke, but a common condition at the facility as LCR has taken no steps to eliminate waste spillage, leachate generation, and surface water contamination and has made no effort to earnestly comply with the Ohio EPA's 11/23/2016 consent order.

The Complainant has direct knowledge that the southern wall of LCR's sedimentation basin #4 previously collapsed from the weight of the mud and waste and disgorged raw waste and contaminated mud into the unnamed tributary to Duck Creek.

LCR's railcar dig-out operation is in direct violation of Ohio Revised Code 6111, the Clean Water Act, OAC 3745-400-11, the Ohio EPA 11/23/2016 consent order, LCR's 2012 air permit conditions as well as LCR's 2017 NPDES permit 3IN00390 IV sections (C) (1) and (2) which state:

C. Control Measures/Best Management Practices (BMPs)

1. Minimize Exposure. You shall minimize the exposure of manufacturing, processing, and material storage areas (including loading and unloading, storage, disposal, cleaning, maintenance, and fueling operations) to rain, snow, snowmelt, and runoff by either locating these industrial materials and activities inside or protecting them with storm resistant coverings (although significant enlargement of impervious surface area is not recommended). In minimizing exposure, you should pay particular attention to the following:
 - a. Use grading, berming, or curbing to prevent runoff of contaminated flows and divert run-on away from these areas;
2. Good Housekeeping. You shall keep clean all exposed areas that are potential sources of pollutants, using such measures as sweeping at regular intervals, keeping materials orderly and labeled, and storing materials in appropriate containers.

Please note that LCR's sedimentation basin #4 is adjacent to LCR's groundwater monitoring well #4. This monitoring well is considered upgradient of the landfill proper and supposedly reflects ambient water quality. If this monitor well is contaminated by the leachate in the sedimentation basin, then the statistical analyses used to determine the limited impact of the landfill may be invalidated

Again, it is unclear why the Ohio EPA has not enforced the 11/23/2016 consent order and addressed LCR's bold non-compliance which, at best, can be described as willful negligence.

- *The Complainant requests that the Ohio EPA enforce the 11/23/2016 Consent Orders #2 and #4(A), LCR's NPDES permit's terms and conditions, Ohio Revised Code 6111 and LCR's air permit terms and conditions.*
- *The Complainant requests that the Ohio EPA require LCR to implement a waste inspection program prior to unloading incoming railcar waste.*

- *The Complainant requests that the Ohio EPA require that LCR perform its dig-out operation indoors to eliminate leachate generation, stop stormwater pollution and control toxic dust. Other facilities, such as the Tunnel Hill and Sunny Farms landfills, which also unload out of state railed waste in Ohio, perform this function under roof and include leachate and dust management controls.*

The third method that wastes are unloaded at LCR is at the truck unloading area. Please see Exhibit L, which is an expanded image of previously mentioned satellite image and is attributable to Imagery © Landsat/Copernicus, Naxar Technologies, State of Ohio/OSIP, US Geological Survey, USDA Farm Service Agency Map data © 2021.

The trucks originate from a number of different states and unload on an earthen pad that has no leachate collection system, no liner and no storm water pollution prevention controls.

Considering that approximately 10,000 trucks per year unload at this location, a fuel line or hydraulic line break on 1/10th of 1% of the vehicles represents 10 spills annually. The Complainant has knowledge that spills were not reported to himself, to the Company or to the Ohio EPA.

The spilled liquids drain directly into the subsurface or into surface waters of the State and is direct violation of ORC 6111, the Clean Water Act and LCR's NPDES permit.

- *The Complaint requests that the Ohio EPA order LCR place the truck unloading operation under roof and to install a leachate collection system.*

LCR has not complied with the 11/23/2016 consent order with regard to installing clay or synthetic liners under its leaking sedimentation basins as required by Order #4 (b) (c) and (d), which states:

4. Within one hundred and twenty (120) days after the effective date of these Orders Respondents shall submit, in accordance with Section XII. of these Orders, one or more permit to install ("PTI") applications that shall include detailed plans, agency forms with schedules for construction, and any necessary technical specifications for the following facility collection or treatment systems Respondents intend or are required to install:
 - B. Appropriately sized sedimentation ponds and sedimentation traps for their drainage areas;
 - C. Lining the sedimentation ponds and sedimentation traps as follows:

- i. Synthetically lining all sedimentation ponds and sedimentation traps that are in direct contact with ground water that may result in contaminants either entering the ponds/traps via ground water, or infiltrating storm water that could potentially have a direct impact on ground water quality or the underdrain or leachate pumping systems at the facility;
- ii. Lining ponds/traps with a soil based liner system for those ponds that infiltrate ground water, but Respondents demonstrate do not directly impact ground water quality or the underdrain or leachate pumping systems at the facility;
- iii. No liner is required for ponds/traps that Respondents demonstrate do not infiltrate ground water and are not influenced by ground water entering the ponds/traps;
- iv. All pond/trap designs may be addressed on a case-by-case basis; and
- v. If at any time the Director determines that a pond or trap that is not lined with a synthetic liner is in direct contact with groundwater, within sixty (60) days of notification from Ohio EPA, Respondents shall submit, in accordance with Section XII. of these Orders, either a PTI application for lining the pond with a synthetic liner, or a demonstration with which the Director concurs that the pond or trap is not in direct contact with groundwater.

As of this date, the public record reflects that only one of six sedimentation basins have been addressed through the permitting process.

- *The Complainant requests that the Ohio EPA enforce the 11/23/2016 Order #4 in its entirety.*

Toxic and malodorous hydrogen sulfide gas (H₂S) emissions from the Lordstown Landfill has been a paramount issue for the community and the Ohio EPA for many years.

The record reflects that over 600 odor, dust, nuisance and sickness complaints have been filed with the Ohio EPA, the Lordstown Police Department, The Village of Lordstown Administration, the Newton Township Trustees, the Trumbull County Combined Health District, the Ohio Department of Natural Resources, The US Fish and Wildlife Service, and the Trumbull-Mahoning Air Pollution Air Agency (now defunct).

The Ohio EPA has attempted to address this situation in both the Odor Control Plan in their 11/23/2016 consent order and with their additional 10/30/2019 consent order, yet violations have continued into 2021.

LCR was required to install an initial landfill gas collection system per the Ohio EPA's 10/30/2019 consent order but the Complainant has direct knowledge that the system is vastly undersized and has been only marginally effective.

LCR has only managed to comply with the H₂S emission levels over the past 90 days by applying an average of 20,000 tons per month of soil cover material onto the landfill surface. However, the Complainant has direct knowledge that LCR has zero on-site soil and relies on massive quantities untested dirt from various construction projects.

The Complainant has direct knowledge that LCR's practice of hauling in third party cover soil involves no planning or controls, is certainly not sustainable for long term landfill management, and may further contaminate the Waters of the US and Ohio.

LCR's most recent gas emission "maintenance program", using these soils, requires more than 200,000 tons per year of third-party dirt for the remaining years of the landfill life. This equates to the need for a minimum one million tons of *uncontaminated* soil.

Sooner, rather than later, there will be no more fortuitous landfill cover dirt and the toxic emissions will re-appear again putting workers, neighbors and the Lordstown community at risk.

The tens of thousands of tons of untested third-party dirt are being stockpiled on the east end of the landfill across from the neighbors on Newton Falls Bailey Road. LCR claims that the dirt is only from farms being converted to industrial centers but it is not clear if any Phase I or Phase II environmental assessments have been completed on any of the excavated parcels.

Whether the soil only originates from farms may or may not be true. Even if this claim is true, Ohio farmers apply an average of 16 million pounds of insecticides, herbicides and larvicides annually so even "farmer's dust" can be harmful.

The dust from the stockpiles at LCR often blows directly toward their closest neighbors, which are only several hundred feet away. The Complainant is aware that there have been dust complaints filed by at least one neighbor of LCR in the past year.

The pesticides in the soil can also leach into the groundwater, drain into the surface water system and infiltrate into the landfill waste mass after being used as cover material.

However, if the soil is coming from other sources, such as industrial remediation projects, fueling station closures, and other unknown East Coast and remote sources, the soil could be contaminated with just about anything.

The Complainant has direct knowledge that the immense untested dirt stockpiles are interfering with the surface water flow of LCR's existing, albeit inadequate, storm water collection system. There appears to be no properly installed silt fences around the stockpiles and no engineered drainage ditches to properly convey silt-laden storm water.

Large, spontaneously created and un-designed ponds are intercepting sediment laden runoff and discharging without treatment to Waters of the State and US in violation of LCR's NPDES permit, LCR's Stormwater Pollution Prevention Plan (SWPPP) and the Clean Water Act.

The Complainant has direct knowledge that a proven, comprehensive landfill gas collection system has been designed for LCR, but the Company and LCR will take every measure to avoid the costs of the installation and the system's long-term maintenance. Please note that the decade-long mantra of wanting to do the "right thing" is a euphemism for what is "right" for the *bottom line* and is considered an inside joke.

- *The Complainant requests that the Ohio EPA immediately order LCR to install a comprehensive landfill gas collection and treatment system to protect the community.*
- *The Complainant requests that the Ohio EPA require LCR to demonstrate how it will meet its long-term cover soil commitments.*
- *The Complainant requests that the Ohio EPA require LCR to test the on-site soil stockpiles and the ongoing waste dirt being hauled to LCR from third parties for all potential contaminants.*
- *The Complainant requests that the Ohio EPA investigate the lack of appropriate storm water controls throughout the landfill facility and the violations of LCR's NPDES permit.*

In 2019, in response to the Ohio EPA, consultants for LCR installed eight shallow landfill gas collection probes and sampled LCR's gases 48 times. The landfill gases were analyzed by a certified laboratory in California. The monthly sampling and lab results were reported to the Ohio EPA throughout 2019 with a final summary report being submitted in December 2019.

The results demonstrate that at least eight poisonous gases, several which are pesticide precursors, are being generated in high concentrations by LCR.

The gasses, besides the focus gas of hydrogen sulfide, include carbonyl sulfide, carbon disulfide, methyl mercaptan, carbon disulfide, thiophene and n-propyl mercaptan.

The high concentrations of a dangerous mix of so many different toxic gases in the Lordstown Landfill are a result of the combination of excessive volumes of pulverized waste, which provide an endless supply of food for anaerobic gas-producing bacteria, and large volumes of non-C&D waste that includes many banned and volatile substances.

As a result of neglectful landfill management, *LCR is a waste cesspool that will off gas toxins for decades.*

See Exhibit M for a summary chart of LCR's toxic gases that were sampled by a qualified third-party consultant and analyzed by a certified laboratory.

These gaseous chemicals are deadly toxins and pose serious threats to the workers, the community and the environment. This is not a theoretical statement.

The Complainant was diagnosed with *carbonyl sulfide poisoning from repeated exposures of LCR gases* and continues to suffer with these chronic toxic symptoms.

LCR and the Company have willfully neglected the potentially harmful effects of these dangerous landfill gases.

The Complainant understands that, unfortunately, the H₂S gas meters used by both LCR and the Ohio EPA do *not* detect *any* of these other noxious gases.

To the best knowledge of the Complainant, no one has notified the neighbors of these additional airborne toxins. The Complainant was never authorized by the Company to speak with or meet with the neighbors on any matter.

The Ohio EPA has stated that they forwarded LCR's 2019 detailed toxic gas data and reports to the Trumbull County Combined Health District (TCCHD), but there isn't any record if the TCCHD has evaluated or acted upon the reports.

At the March 2021 virtual public meeting that included the Complainant, LCR and Company representatives as well as Ohio EPA representatives, a verified neighbor inquired if other gases may be present in the air. In response, the Ohio EPA deferred to the TCCHD—which was not present. The record reflects that no subsequent action regarding the mix of dangerous gases has been taken by either the TCCHD or the Ohio EPA.

The TCCHD is the annual licensing authority for LCR and is a statutory agent for the Ohio EPA. The TCCHD has responsibilities to inspect LCR at least four times per year which it has *failed to meet*.

The Complainant was a landfill inspector for the Ohio EPA from 1980 until 1989 and understands that an "inspection", by any common definition of the term, consists of a an average twenty minutes visit to LCR offices every three months — never venturing outside of the landfill's office to evaluate the 135 acre disposal facility for environmental compliance.

Considering the massive historical non-compliance illustrated in Exhibit A, it is unconscionable that a TCCHD inspector would not at least physically peruse the field operations before completing an official Ohio EPA Landfill Inspection Report and state "No violations noted". The Complainant has direct knowledge of these inept "visits" by the inspector for the TCCHD.

The TCCHD claims that it has been "overwhelmed with COVID-19 work", which no doubt has been problematic in the past 18 months but does not explain or excuse the continuing lackadaisicalness. However, the reality of the "looseness" of inspections can be easily explained.

The TCCHD, by Ohio statute, has been receiving \$1.80 per ton of waste that is accepted by LCR for disposal. Due to the enormous quantity of out-of-state waste received at the Lordstown landfill, the record reflects that the TCCHD receives an average of \$100,000 per *month* in waste tipping fees from LCR and *has received more than \$18.4 million* since 2004.

TCCHD's tipping fee receipts are to be used for waste programs only. There are no other licensed landfills to inspect in Trumbull County.

Just the interest on these monies could pay for a full-time on-site inspector which is common at other landfills. LCR is the largest single financial benefactor to the TCCHD and this Ohio-legislated waste payment requirement has apparently created a serious conflict of interest.

There is no record, and the Complainant is unaware, that the TCCHD has informed the public of these additional toxic gases, or has requested assistance from the State of Ohio Health Department or the Atlanta Center for Disease Control or any qualified third party consultant with expertise in the broad spectrum of LCR's poisonous landfill gases.

TCCHD is probably unaware of the violations listed in this verified complaint because their inspectors have not walked the facility in over two years.

The Complainant requests that:

The Ohio EPA employ the appropriate field meters or instruments, and require that LCR also employ such devices, that can test for the presence of all the toxic gases proven to exist at LCR;

The Complainant also requests that:

- *The Ohio EPA require the TCCHD to perform bona fide landfill inspections at LCR at a frequency greater than the minimum 90-day interval until full compliance is obtained.*
- *If compliance is not obtained, the 2021 landfill operating license should be revoked;*
- *The Ohio EPA join the TCCHD on inspections of LCR and require that the TCCHD not notify LCR managers of pending inspections. Perhaps in this way, the dubious unloading operations will not be perpetually "out of service" during the future inspections;*
- *The Ohio EPA inform LCR's neighbors of the other toxic gases they have been exposed to and complained about for 17 years;*
- *The Ohio EPA and or the TCCHD contact the appropriate division of the Atlanta Center for Disease Control to conduct an epidemiological study of the neighborhoods surrounding the Lordstown Landfill;*
- *That the Ohio EPA and the TCCHD utilize drone technology to further determine LCR's failures of compliance. Certainly, the TCCHD has the financial resources to acquire and apply such technology if they are unable or unwilling to physically evaluate the facility.*

Please note that the Complainant, as a previous Company employee who worked with several disabilities, who did not have any assigned site vehicle, or any authority or direct reports, and who operated with an average \$4.35/day Company expense limit, and worked under COVID-19 conditions, still managed to physically perform modest surveys of the landfill. Therefore, it would seem reasonable that the full-bodied, certified inspectors of the TCCHD, which has enormous financial resources as well as a statutory obligation, should be more than capable to perform comprehensive and systematic landfill compliance inspections at LCR.

Conclusion

The on-going violations by LCR are numerous, heinous, and willful. The Complainant, Mark Schmidt, urges you to investigate this situation, pursue other appropriate orders and proceedings pursuant to your authority under Ohio Law to stop these violations of Ohio law and perform whatever other steps which are or may be necessary to protect the waters/air quality of the state of Ohio.

Thank you in advance for your prompt attention to this important issue.

Governor DeWine is lifting the COVID-19 restrictions on June 2nd. Perhaps the Ohio EPA and the Trumbull County Combined Health District will begin to genuinely inspect LCR, begin enforcing LCR's air and water permits as well as the Clean Water Act *and put a halt to the current "anything goes" interstate waste marketplace.*

This verified complaint has also been sent to the various Ohio EPA program managers and is accompanied below with a sworn, notarized affidavit as required by Ohio EPA policy.

Please feel free to call with any questions. I am available to meet and discuss these issues and present further documentation upon request.

Thank you for your time and consideration.

Sincerely,

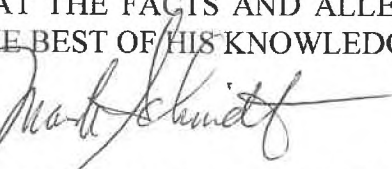
Mark Schmidt
Complainant
(330) 389-6366



STATE OF OHIO PORTAGE COUNTY SS

THE UNDERSIGNED Mark Schmidt, BEING FIRST DULY SWORN AND CAUTIONED, STATES THAT THE FACTS AND ALLEGATIONS OF THE ABOVE COMPLAINT ARE TRUE TO THE BEST OF HIS KNOWLEDGE.

Mark Schmidt



THE ABOVE COMPLAINT WAS SIGNED AND SWORN TO BEFORE ME AND IN MY PRESENCE BY THE ABOVE NAMED MARK SCHMIDT A PERSON KNOWN TO ME ON THE 25TH DAY OF MAY, 20xx. 2021



NOTARY PUBLIC



CHRISTINE J MORHAC
Notary Public, State of Ohio
My Comm. Expires May 6, 2023
Recorded in Portage County

Exhibit A Lordstown Construction Recovery Landfill LafargeHolcim Enforcement Tracking 2015 - 2021

(Page 1) Date of Enforcement	Agency	Compliance Issue	Company/LCR Site Mgr, Operations Mgr and/or General Mgr, Environmental Supervisor	Notes	Type Enforcement
2015		Ohio Revised Code, Ohio Administrative Code and/or LCR permit or consent order reference			
3/13/15	Trumbull County Health Department	Illegal pumping of groundwater from under landfill ; OAC-3745-400-07 (F)(5)	Tim Wirtz, Hans Schrama, Bill Snyder, Brian Gasiorowski	Original 30 acres of landfill was excavated through 2 groundwater tables which require continuous pumping of 20 million gallons/year in perpetuity	Notice of Violation (NOV)
4/14/15	Ohio EPA	H2S odor Complaints; OAC 3745-400-11 (B)(16)	Tim Wirtz, Hans Schrama, Bill Snyder, Brian Gasiorowski		Notice of Violation (NOV)
10/16/15	Ohio EPA	Illegal pumping of groundwater under landfill to surface water	Tim Wirtz, Hans Schrama, Bill Snyder, Brian Gasiorowski	Pumping of underdrain to Pond #1 discovered on inspection	Notice of Violation (NOV)
10/22/15	Ohio EPA	Illegal pumping of groundwater under landfill to surface water; 19 violations including: ORC 6111.04, OAC 3745-33-02 (A) and (B), -03 (B), -04(D), OAC-3745-400-11(B)(3), and (16), -07(B), -07 (F)(2) and (F)(5)	Tim Wirtz, Hans Schrama, Bill Snyder, Brian Gasiorowski	Original 30 acres of landfill was excavated through 2 groundwater tables which require continuous pumping of 20 million gallons/year in perpetuity	Notice of Violation (NOV)
10/19/15	Trumbull County Health Department	Illegal pumping of groundwater under landfill to surface water	Tim Wirtz, Hans Schrama, Bill Snyder, Brian Gasiorowski	Original 30 acres of landfill was excavated through 2 groundwater tables which require continuous pumping of 20 million gallons/year in perpetuity	Notice of Violation (NOV)
11/18/15	Ohio EPA	H2S/Odor complaints, OAC 3745-400-11 (B)(16)	Tim Wirtz, Hans Schrama, Bill Snyder, Brian Gasiorowski	OAC 3745-400-11 (B)(15) and/or (16)	Notice of Violation (NOV) (6)

2016	Agency	Issue	Tim Wirtz, Hans Schrama, Bill Snyder , Brian Gasiorowki	Notes	Type & Total Enforcement Actions/year 2015 -2021
(3/30/2016)	Trumbull County Health Department	Deep erosion of north slope cap OAC 3745-400-11 (Q)(3)	Tim Wirtz, Hans Schrama, Bill Snyder , Brian Gasiorowki	North slope failure due to extensive erosion continued to emit landfill gas	Notice of Violation (NOV)
11/23/16	Ohio EPA	H2S/odor complaints, groundwater underdrain. Numerous Ohio Revised Code and Administrative Code violations	Tim Wirtz, Hans Schrama, Bill Snyder , Brian Gasiorowki	\$270,000 Penalty, Monthly H2S surveys, tracking and reporting systems, sedimentation pond study. Daily cover required v weekly cover using soil NOT slag, waste unloading management, extended post-closure period 25 years with financial assurance	Ohio EPA Director's Final Findings and Orders
11/28/16	Trumbull County Health Department	Deep erosion, odor complaints OAC 3745-400-11(Q)(3), ORC 3767.13(B)	Tim Wirtz, Hans Schrama, Bill Snyder , Brian Gasiorowki	North slope failure due to extensive erosion continued to emit landfill gas	Notice of Violation (NOV)(9)
2017	Agency	Issue	Company/LCR Site Mgr, Operations Mgr and/or General Mgr, Environmental Supervisor	Notes	Type & Total Enforcement Actions/year 2015 -2021
1/27/17	OEPA	H2S at OEPA Meter, 5 complaints OAC 3745-400-11 (B)(16)	Tim Wirtz, Hans Schrama, Bill Snyder , Brian Gasiorowki	LCR had stationary continuous recording H2S meter installed at LCR across from Kovac property. Anemometer installed incorrectly; could not determine true wind direction.	Notice of Violation (NOV)
2/23/17	OEPA	H2S at OEPA Meter, 8 complaints OAC 3745-400-11 (B) (16)	Tim Wirtz, Hans Schrama, Bill Snyder , Brian Gasiorowki	LCR had stationary constant recording H2S meter installed at LCR across from Kovac property. Anemometer installed incorrectly; could not determine true wind direction.	Notice of Violation (NOV)
2/28/17	Trumbull County Health Department	H2S	Tim Wirtz, Hans Schrama, Bill Snyder , Brian Gasiorowki		Notice of Violation (NOV)
3/20/17	OEPA	H2S at OEPA Meter, 6 complaints OAC 3745-400-11 (B)(16)	Tim Wirtz, Hans Schrama, Bill Snyder , Brian Gasiorowki		Notice of Violation (NOV)
7/7/17	Trumbull County Health Department	Solid waste in landfill OAC 3745-400-11 (F)(3)	Tim Wirtz, Hans Schrama, Bill Snyder , Brian Gasiorowki		Notice of Violation (NOV)

7/10/17	Trumbull County Health Department	Erosion on north slope OAC 3745-400-11(Q)(1)	Tim Wirtz, Hans Schrama, Bill Snyder, Brian Gasiorowki		Notice of Violation (NOV)
8/2/17	OEPA	Phase B cover material/solid waste. OAC 3745-400-11(F)(3), 11/23/2016 Consent order	Tim Wirtz, Hans Schrama, Bill Snyder, Brian Gasiorowki		Notice of Violation (NOV)
8/14/17	Trumbull County Health Department	Re-inspection of landfill. Erosion, lack of pickers, solid waste OAC 3745-400-11 (F)(3) and (F)(6)	Tim Wirtz, Hans Schrama, Bill Snyder, Brian Gasiorowki	Re-inspection found additional areas still needed cover, solid waste observed, no pickers at working face	Notice of Violation (NOV);
8/29/17	Trumbull County Health Department	Continued odors, complaints, solid waste in landfill	Tim Wirtz, Hans Schrama, Bill Snyder, Brian Gasiorowki	Admin hearing at TCHD on 8/29/2017. Concerns regarding solid waste in landfill and excessive hydrogen sulfide odors.	Administrative Hearing
12/4/17	OEPA	H2S Incident over Thanksgiving holiday. Ohio EPA Emergency Response Team at Landfill. OAC 3745-400-11 (B)(16)	Tim Wirtz, Hans Schrama, Bill Snyder, Brian Gasiorowki	Excessive landfill gas and odors. Permanent hydrogen sulfide meter required to be installed at property limit per the conditions of the 2018 license.	Notice of Violation (NOV)(19)
2018	Agency	Issue	Company/LCR Site Mgr, Operations Mgr and/or General Mgr, Environmental Supervisor	Notes	Type & Total Enforcement Actions/year 2015 -2021
3/5/18	OEPA	NOV H2S: 32 exceedances on OEPA meter; 2 complaints OAC 3745-400-11 (B)(15)	Tim Wirtz, Hans Schrama, Bill Snyder, Brian Gasiorowki	S Curves meter installed per license condition. H2S data required to be submitted semi-monthly to the TCHD.	Notice of Violation (NOV)
4/13/18	OEPA	NOV H2S: 35 exceedances on OEPA meter; 12 complaints OAC 3745-400-11 (B)(16)	Tim Wirtz, Hans Schrama, Bill Snyder, Brian Gasiorowki		Notice of Violation (NOV)
5/10/18	OEPA	NOV H2S: 53 exceedances on OEPA meter; 9 complaints OAC 3745-400-11 (B)(16)	Tim Wirtz, Hans Schrama, Bill Snyder, Brian Gasiorowki		Notice of Violation (NOV)
8/16/18	OEPA	NOV: Daily cover complaint from R. Kovac on 6/20/2018. Violation of 11/23/2016 Consent order	Tim Wirtz, Hans Schrama, Bill Snyder, Brian Gasiorowki		Notice of Violation (NOV)
8/31/18	OEPA	NOV for 2 complaints on 8/21 and H2S readings on 4 days 8/17 - 8/22 OAC 3745-400-11 (B)(16)	Tim Wirtz, Hans Schrama, Bill Snyder, Brian Gasiorowki		Notice of Violation (NOV)

9/26/18	OEPA	North slope grade exceedance OAC 3745-400-11(B)(1)	Mike Bastys, Bill Snyder , Michael LeMonds	Notice of Violation (NOV)	
10/16/18	OEPA	13 odor complaints; numerous exceedances of 20 ppb on OEPA meter OAC 3745-400-11 (B)(16)	Mike Bastys, Bill Snyder , Michael LeMonds	Notice of Violation (NOV)	
11/23/18	OEPA	13 odor complaints; numerous exceedances of 20 ppb on OEPA meter on 16 days from 10/17 to 11/21	Mike Bastys, Bill Snyder , Michael LeMonds		Notice of Violation (NOV)
1/8/2019 for December 2018	OEPA	12 odor complaints; 42 H2S exceedances on OEPA meter between 12/01/2018 - 12/20/2018. OAC 3745-400-11 (16)	Mike Bastys, Bill Snyder , Michael LeMonds		Notice of Violation (NOV)(28)
2019	Agency	Issue	Company/LCR Site Mgr, Operations Mgr and/or General Mgr, Environmental Supervisor	Notes	Type & Total Enforcement Actions/year 2015 -2021
2/14/19	OEPA	10 odor complaints; 7 exceedances on OEPA meter between 1/15 to 2/07/2019. OEPA field surveillance on 2/06/2019 had 8 exceedances of H2S	Mike Bastys, Bill Snyder , Michael LeMonds		Notice of Violation (NOV)
4/16/19	OEPA	3 odor complaints, 35 H2S exceedances on OEPA meter between 3/19 to 4/09/2019 OAC 3745-400-11 (B)(16)	Mike Bastys, Bill Snyder , Michael LeMonds	Response included discussion of March's 17,000 tons of cover material applied, gas probe work and misting system.	Notice of Violation (NOV)
5/10/19	OEPA	Over height issue in Phase 9B 5/14/2019 OAC 3745-400-11 (B)(1)	Mike Bastys, Bill Snyder , Michael LeMonds		Notice of Violation (NOV)
7/18/19	OEPA	67 H2S readings > 20 ppb between May 13 and July 10 on OEPA meter. OAC 3745-400-11 (B)(16)	Mike Bastys, Bill Snyder , Michael LeMonds		Notice of Violation (NOV)
9/20/19	OEPA	Beaver Excavating hose discharge from Phase 8C to public ditch along Newton Falls Bailey Road. ORC 6111	Mike Bastys, Bill Snyder , Michael LeMonds		Notice of Violation (NOV)
9/25/19	OEPA	A 6,000 CY overfill on the south slope. OAC- 3745-400-11 (B)(1)	Mike Bastys, Bill Snyder , Michael LeMonds	20,000 CY of overfill was calculated by Bowser Morner on the south slope after a drone survey.	Notice of Violation (NOV)

10/30/19	OEPA	Several hundred H2S exceedances, odor complaints OAC 3745-400-11 (B)(16)	Mike Bastys, Bill Snyder , Michael LeMonds	Includes designing an approvable landfill gas system in 60 days from 10/30/2109 and install by 7/01/2020. Also stop filling Phases 1 through 4 and clay cap 30 acres by 10/15/2020. Update financial asurance for landfill gas control system.	Ohio EPA Director's Final Findings and Orders (35)
2020	Agency	Issue	Company/LCR Site Mgr, Operations Mgr and/or General Mgr, Environmental Supervisor	Notes	Type & Total Enforcement Actions/year 2015 -2021
2/19/20	OEPA	59 exceedances of 20 ppb H2S on Kovac meter, 3 complaints by Kovac. OAC 3745-400-11 (B)(16)	Mike Bastys, Bill Snyder , Michael LeMonds	South slope of Phase 8A had emissions over the weekend of 1/30/2020 through 2/02/2020.	Notice of Violation (NOV)
3/24/20	OEPA	31 exceedances of 20 ppb H2S (one reading > 100 ppb), 4 odor complaints. OAC 3745-400-11(B)(16)	Mike Bastys, Bill Snyder , Michael LeMonds		Notice of Violation (NOV)
11/27/20	OEPA	113 exceedances of 20 ppb H2S on Kovac meter, 6 complaints by Kovac. OAC 3745-400-11(B)(16)	Mike Bastys, Bill Snyder , Michael LeMonds	OAC 3745-400-11 (B)(15) and/or (16)	Notice of Violation (NOV)
12/11/20	OEPA	88 exceedances of 20 ppb H2S (one reading > 100 ppb), 9 odor complaints. OAC 3745-400-11(B)(16)	Mike Bastys, Bill Snyder , Michael LeMonds		Notice of Violation (NOV)(39)
2021	Agency	Issue	Company/LCR Site Mgr, Operations Mgr and/or General Mgr, Environmental Supervisor	Notes	Type & Total Enforcement Actions/year 2015 -2021
2/3/21	OEPA	50 exceedances of 20 ppb H2S (one reading > 100 ppb), 14 odor complaints. OAC 3745-400-11(B)(16)	Mike Bastys, Bill Snyder , Michael LeMonds		Notice of Violation (NOV)(40)

Exhibits B, C, D, E, F, G and L

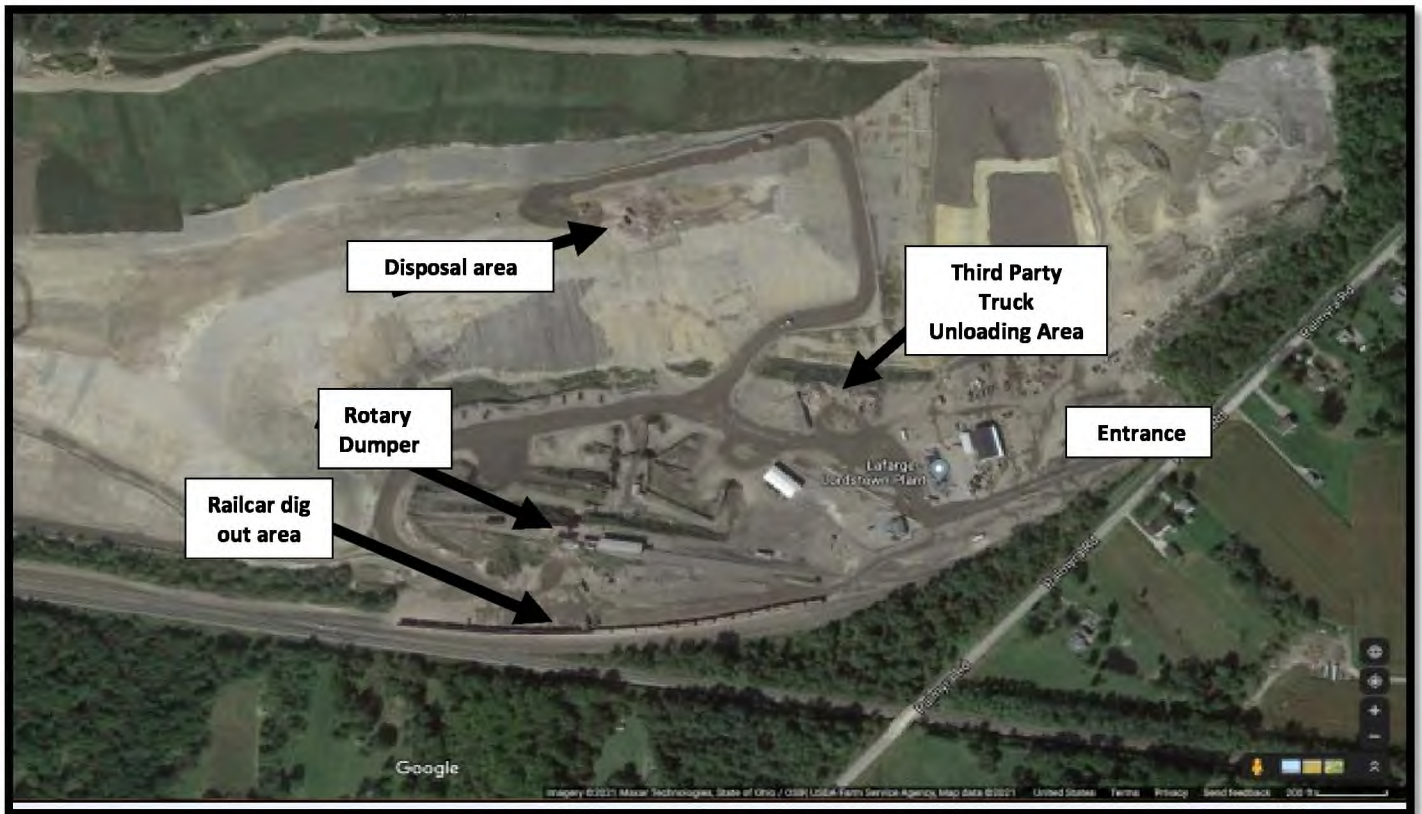


Exhibit B; Lordstown Landfill (LCR)

The image attribution is: Imagery © Landsat/Copernicus, Naxar Technologies, State of Ohio/OSIP, US Geological Survey, USDA Farm Service Agency Map data © 2021.



Trucks dumping directly into working face; no unloading zone, no pickers, no spraying loads for dust

Exhibit C; Lordstown Landfill Working Face



Exhibit D; Lordstown landfill working face

The images attributions are: Imagery © Landsat/Copernicus, Naxar Technologies, State of Ohio/OSIP, US Geological Survey, USDA Farm Service Agency Map data © 2021.



Exhibit E; Lordstown Landfill rotary dumper unloading pulverized waste

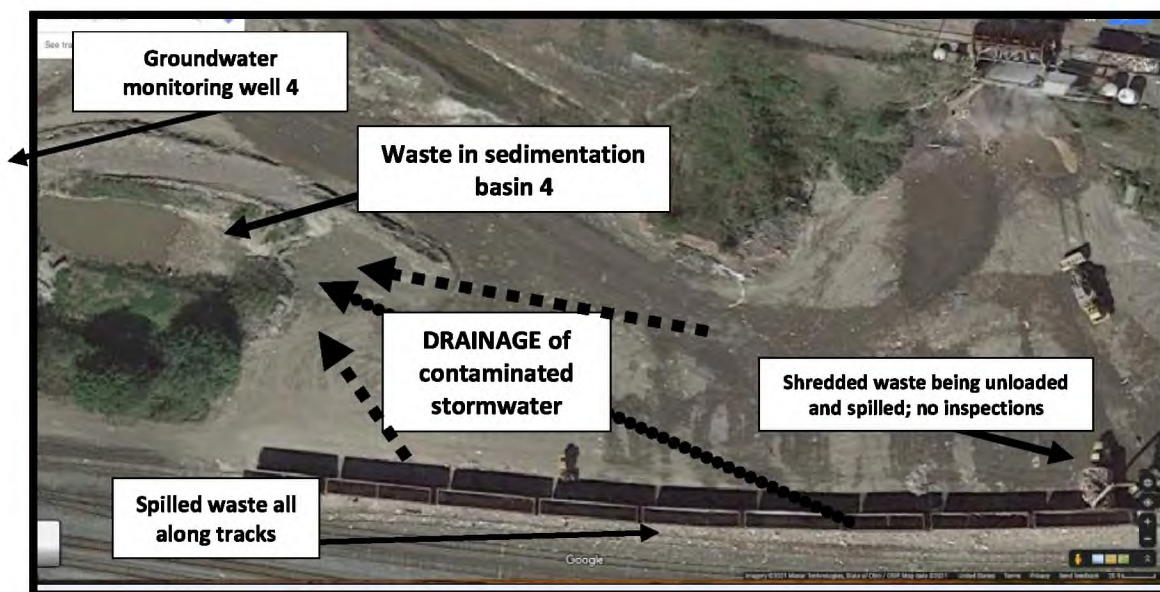


Exhibit F; Lordstown Landfill railcar dig out operation

The images attributions are: Imagery © Landsat/Copernicus, Naxar Technologies, State of Ohio/OSIP, US Geological Survey, USDA Farm Service Agency Map data © 2021.



Exhibit G; Lordstown Landfill sedimentation basin 4

The image attribution is: Imagery © Landsat/Copernicus, Naxar Technologies, State of Ohio/OSIP, US Geological Survey, USDA Farm Service Agency Map data © 2021.



Exhibit L; Lordstown Landfill truck unloading area on unprotected surface

The image attribution is: Imagery © Landsat/Copernicus, Naxar Technologies, State of Ohio/OSIP, US Geological Survey, USDA Farm Service Agency Map data © 2021.

Verified Complaint #1 Exhibits H, I, J, K



Exhibit H; Lordstown Landfill railcar dig out area and CSX railroad tracks

These images are attributed to:
Imagery © Landsat/Copernicus, Naxar Technologies, State of Ohio/OSIP, US Geological Survey,
USDA Farm Service Agency Map data © 2021.



Exhibit I; Waste and leachate drain from railcars and contaminate sedimentation basin #4



Exhibit J; Long term waste spillage from dig out operation at LCR. No inspection of wastes, no toxic dust control.

The image attribution is:
Imagery © Landsat/Copernicus, Naxar Technologies, State of Ohio/OSIP, US Geological Survey,
USDA Farm Service Agency Map data © 2021.

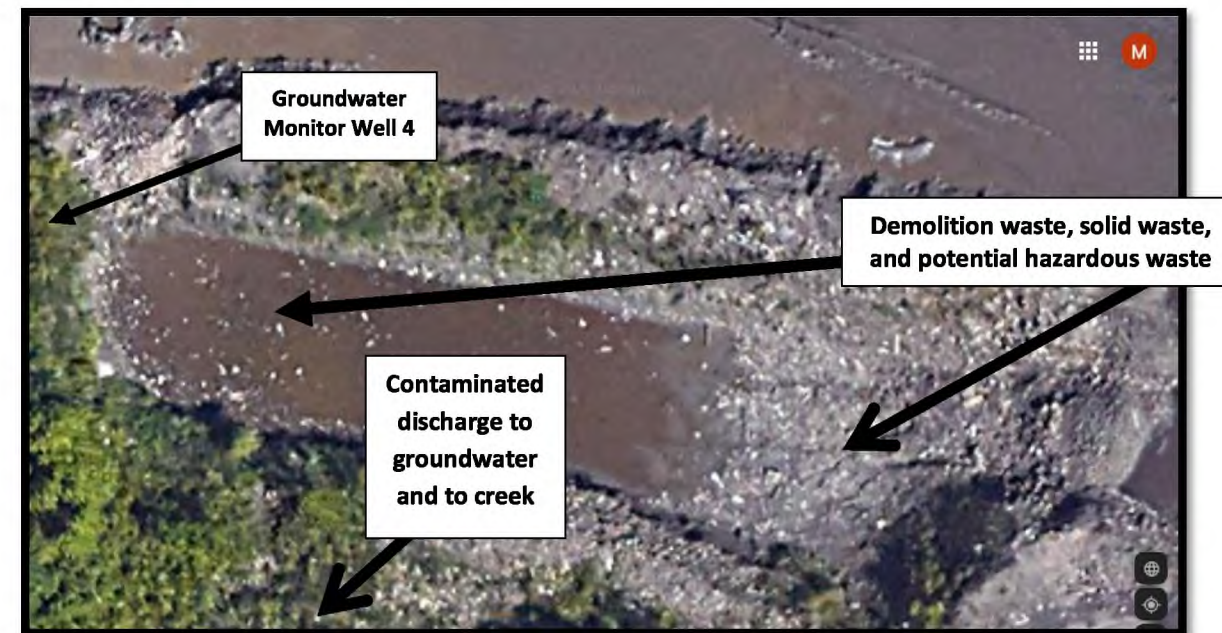


Exhibit K; Sedimentation basin 4 at Lordstown landfill

Imagery © Landsat/Copernicus, Naxar Technologies, State of Ohio/OSIP, US Geological Survey,
USDA Farm Service Agency Map data © 2021

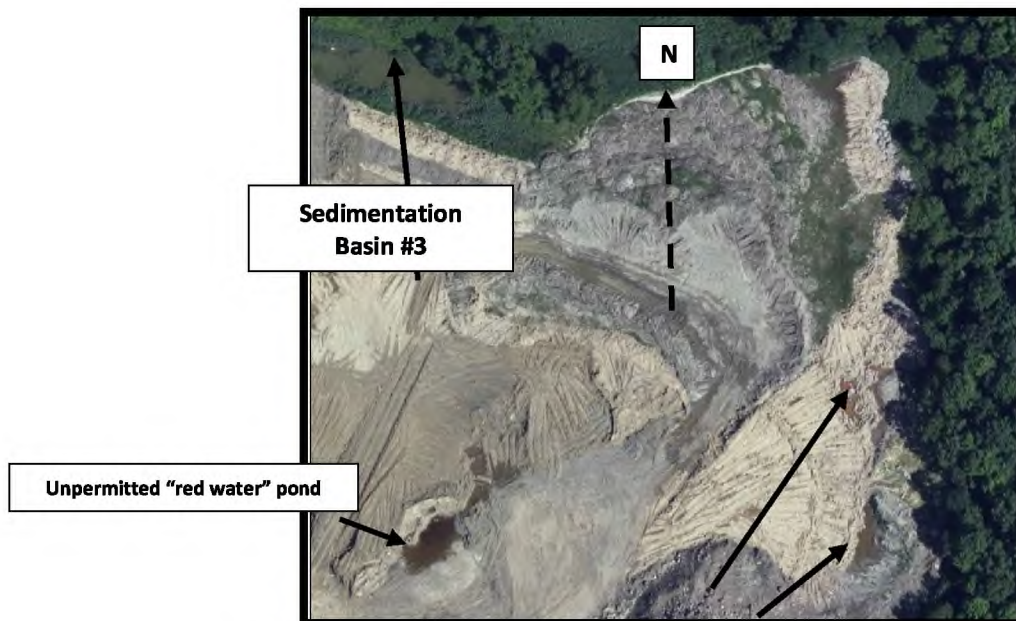
Exhibit M (2 pages)		Lordstown Landfill Toxic Gas Composition	Page 1 of 2
		LCR's shallow landfill gas was sampled 48 times in 2019 and analyzed by a certified laboratory. These results have been submitted to the Ohio EPA and are part of the public record as of 12/2019	
Landfill Gas Name	Maximum Gas Concentration in parts per billion (ppb) as detected in shallow LCR Landfill gas	Toxicity	Formula
Hydrogen Sulfide	39,000,000 ppb	Hydrogen sulfide is the chemical compound with the formula H_2S . It is a colorless chalcogen hydride gas with the characteristic foul odor of rotten eggs. It is poisonous, corrosive, and flammable. This value is > 100x OSHA's threat to health and life limit	H_2S
Carbon Disulfide	90,000 ppb	Carbon disulfide is severely irritating to the eyes, mucous membranes, and skin. Acute neurological effects may result from all routes of exposure and may include headache, confusion, psychosis, and coma. Acute exposure to extremely high levels of carbon disulfide may result in respiratory failure and death	CS_2
Carbonyl Sulfide	23,000 ppb	Carbonyl sulfide is a colorless, poisonous, flammable gas with a distinct sulfide odor. The gas is toxic and narcotic in low concentrations and presents a moderate fire hazard.	COS
Isopropyl Mercaptan	110,000 ppb	Chronic aquatic toxicity Isopropyl Mercaptan : Very toxic to aquatic life with long lasting effects	
Methyl Mercaptan	49,000 ppb	The main toxic effect of exposure to methyl mercaptan is irritation of the respiratory airway, skin, and eyes	

Exhibit M (2 pages)		Lordstown Landfill Toxic Gas Composition	Page 2 of 2
Thiophene	32,000 ppb	The acute and subacute toxicity data for thiophene in animals identify the nervous system and the liver as target organs for its toxicity.	C ₄ H ₄ S
n-propyl Mercaptan	39,000 ppb	n-Propyl Mercaptan Aspiration toxicity : May be harmful if swallowed and enters airways. n-Propyl Mercaptan Further information : Symptoms of overexposure may be headache, dizziness, tiredness, nausea and vomiting	
2 Ethylthiophene	4,900 ppb	Based on this 90-day oral toxicity study in rats, the no-observed-adverse-effect level (NOAEL) for 5-ethylthiophene-2-carboxaldehyde administered	C ₆ H ₈ S
Dimethyl DiSulfide	1,000 ppb	DMDS has low toxicity when inhaled or when the skin is exposed to it. The primary health effect of DMDS is irritation of the nose and upper respiratory tract. The EPA concluded that a concentration of DMDS in air of 55 parts per billion (ppb) or less is not expected to cause irritation or other health effects.	C ₂ H ₆ S ₂
Ethyl Mercaptan	2,200 ppb	Higher levels can cause dizziness, lightheadedness, coma and death. * Ethyl Mercaptan may damage the liver and kidneys. * Repeated or long term exposure to Ethyl Mercaptan may damage the red blood cells causing anemia. * Ethyl Mercaptan is a HIGHLY FLAMMABLE LIQUID or GAS and a DANGEROUS FIRE HAZARD.	
Diethyl Sulfide	< 1,000 ppb	Diethyl Sulfide can affect you when breathing <i>and by passing through your skin</i> . * Contact can irritate the skin and eyes. * Breathing Diethyl Sulfide can irritate the nose and throat causing coughing and wheezing. * Diethyl Sulfide is a FLAMMABLE LIQUID and a FIRE HAZARD.	C ₂ H ₅
Tert-butyl Mercaptan	< 1,000 ppb	Toxic to aquatic life with long lasting effects. Classification. : Flammable liquids, Category 2. Acute toxicity, Category 5, Oral. Serious eye damage	

Isobutyl Mercaptan	< 1,000 ppb	Breathing isobutyl mercaptan for 1 hour caused symptoms of CNS toxicity; all reported muscular weakness and malaise, flushing of the face.	C ₄ H ₁₀ S
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Lordstown Construction Recovery Landfill, Zoom.earth satellite imagery; June 2021
See enlarged images of each area below



LCR Landfill Area A: Leachate/stormwater discharging east toward Palmyra Road
in violation of ORC 6111, the 2017 NPDES permit, OAC 3745-400-11 (O) and (Q)(3) and LCR's SWPPP.
Zoom.earth image





LCR Landfill Area B: Trapped stormwater soaking into the south toe of landfill creating leachate and catalyzing anaerobic bacteria to create toxic gases in violation of OAC 3745-400-11 (Q)(3) and LCR's SWPPP.

For perspective, the 990 loader (3rd parked machine from left) is 41 feet long. Based on the image scale, the approximate volume of storm water soaking into the waste mass from this one area alone is ~ 90,000 gallons.

LCR is a perpetual toxic gas generator and discharged more than 20 million gallons of leachate to the Warren WWTP in 2020.

Zoom.earth image 6/2021



LCR Landfill Area C: Trapped stormwater soaking into the south toe of landfill creating toxic gases and leachate in violation of OAC 3745-400-11 (Q)(3) and LCR's SWPPP.
Zoom.earth image



Area D: Large leachate/stormwater pond on top of landfill creating toxic gas



Area E: Poned waste contact water at rotary dumper does not drain to tanks but to the subsurface.
Zoom.earth image



Area F: Significant uninspected waste on railroad tracks while the landfill is closed in violation of the 2016 DFFOs and OAC 3745-400-11



Area G: Unpermitted fore bay (to Sedimentation Pond #4 which is dry) that is collecting waste contact water from the railcar dig-out operation in violation of the 2017 NPDES permit, ORC 6111, the 2016 DFFOs and OAC 3745-400-11.

Zoom.earth images; June 2021