

BEFORE THE
OHIO ENVIRONMENTAL PROTECTION AGENCY

In the Matter of:

Minerva Enterprises, Inc.
9000 Minerva Road
Waynesburg, Ohio 44688

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:

Director's Final Findings
and Orders

OHIO E.P.A.
DEC 31 2003
ENTERED DIRECTOR'S JOURNAL

PREAMBLE

It is agreed by the parties hereto as follows:

I. JURISDICTION

These Director's Final Findings and Orders ("Orders") are issued to Minerva Enterprises, Inc. ("Respondent") pursuant to the authority vested in the Director of the Ohio Environmental Protection Agency ("Ohio EPA") under Ohio Revised Code ("ORC") §§ 3704.03 and 3745.01.

II. PARTIES BOUND

These Orders shall apply to and be binding upon Respondent and successors in interest liable under Ohio law. No change in ownership of the Respondent or Respondent's facility (as hereinafter defined) shall in any way alter Respondent's obligations under these Orders.

III. DEFINITIONS

Unless otherwise stated, all terms used in these Orders shall have the same meaning as defined in ORC Chapter 3704 and the regulations promulgated thereunder.

IV. FINDINGS

All of the findings necessary for the issuance of these Orders pursuant to ORC §§ 3704.03 and 3745.01 have been made and are outlined below. Nothing in the findings shall be considered to be an admission by Respondent of any matter of law or fact. The Director of Ohio EPA has determined the following findings:

1. Respondent owns and operates a construction and demolition disposal ("C&DD") facility located at 9000 Minerva Road, Sandy Township, Stark County, Ohio. At this C&DD facility (Ohio EPA facility number 15-76-00-1700), Respondent conducts material handling operations associated with the C&DD site (Ohio EPA emissions unit F001); operates and maintains paved and unpaved roadways serving the facility (Ohio EPA emissions unit F002); and handles and disposes of regulated asbestos-containing waste materials ("RACM"), as defined in Ohio Administrative Code ("OAC") Rule 3745-20-01(B)(4) (Ohio EPA emissions unit F003). All references to OAC rules refer to those in

effect at the time the violations were noted.

2. Emissions units F001, F002, and F003 are "air contaminant sources," as defined in OAC Rule 3745-15-01(C) and (W). Emissions unit F003 is also an "active waste disposal site," as defined in OAC Rule 3745-20-01(B)(1), and is therefore also subject to OAC Rule 3745-20-06, "Standard for active asbestos waste disposal sites."

3. Starting in October, 1991, ON Environmental, Inc. owned and operated the C&DD facility located at 9000 Minerva Road, Sandy Township, Stark County. On January 9, 1997, Ohio EPA issued a Permit to Operate ("PTO") pursuant to OAC Rule 3745-35-02 for emissions units F001 and F002 (the most recent PTOs issued for the facility). On July 16, 1997, Ohio EPA issued Permit to Install ("PTI") number 15-1292 pursuant to OAC Rule 3745-31-02 for emissions unit F003. Emissions unit F003 became operational on December 3, 1997. On September 15, 1997, Respondent purchased the facility from ON Environmental, Inc.

4. On October 15, 1997, Respondent requested that all operating permits issued to ON Environmental, Inc. be transferred to Respondent. This transfer was confirmed on February 7, 1998, by Ohio EPA in a letter to Respondent.

5. OAC Rule 3745-20-06(A), in effect prior to November 18, 2002, states that each owner or operator of an active asbestos waste disposal site shall cause or permit no visible emissions to the outside air, or shall comply with the requirements of paragraph (B) of OAC Rule 3745-20-06.

6. OAC Rule 3745-20-06(B)(2), in effect prior to November 18, 2002, states that deposition and burial operations shall be conducted in a manner which prevents handling by equipment or persons that causes RACM to be broken up or dispersed before the materials are buried. Ohio EPA PTI number 15-1292, special term and condition (A)(4)(c), reiterates this requirement.

7. OAC Rule 3745-20-06(B)(3), in effect prior to November 18, 2002, states, in part, that no later than the end of each operating day, the RACM deposited at the site during the operating day shall be buried with at least twelve inches of compacted non-asbestos-containing material. Ohio EPA PTI number 15-1292, special term and condition (A)(4)(e), reiterates this requirement.

8. OAC Rule 3745-20-06(B)(4), in effect prior to November 18, 2002, states, in part, that the owner or operator of the active waste disposal site shall establish a restricted area adequate to deter the unauthorized entry of the general public and any unauthorized personnel from any location within one hundred feet of the operations, and shall display a sign of specific size and with a specific legend at such location so that it is visible before entering the restricted area. Ohio EPA PTI number 15-1292, special term and condition (A)(4)(d), reiterates this requirement.

9. Ohio EPA PTI number 15-1292, special term and condition (A)(4)(b), for emissions unit F003 requires Respondent to inspect each load of asbestos-containing

material delivered to the facility to ensure that each shipment of RACM is in intact, leak-tight, properly labeled containers and to verify the accompanying shipment records accurately describe the waste material received.

10. Ohio EPA PTI number 15-1292, special term and condition (A)(4)(f), for emissions unit F003 requires Respondent to ensure that disposed RACM is not re-excavated in subsequent operations and that any accidentally exposed material be immediately re-covered in accordance with special term and condition (A)(4)(e).

11. ORC § 3704.05(C) states, in part, that no person who is a holder of a permit issued under ORC § 3704.03(F) or (G) shall violate any of its terms or conditions.

12. ORC § 3704.05(G) states, in part, that no person shall violate any order, rule, or determination of the Director issued, adopted, or made under ORC Chapter 3704.

13. The Canton City Health Department, Air Pollution Control Division ("Canton APCD"), is Ohio EPA's contractual representative in Stark County.

14. On March 19, 1998, representatives from Canton APCD and Ohio EPA, Northeast District Office ("NEDO") inspected Respondent's facility. At that time, the inspectors found numerous violations of OAC Rules and the facility's PTI and PTO general and special terms and conditions ("GTCs" and "STCs") for all three emissions units. Violations of OAC Rule and STC/GTC recordkeeping, reporting, notification, access restriction, and operational requirements were observed by the inspectors. Specifically, the inspectors found violations of OAC Rules 3745-20-06(A); 3745-20-06(B)(2), (3), and (4); 3745-20-05(C)(5)(a) and (b); and 3745-20-08(A) as well as 32 separate PTI and PTO STC/GTC violations. All of the violations noted in the attached Table I, Minerva Enterprises, Inc., Summary of Violations ("Table I"), were observed during this inspection.

15. On March 31, 1998, representatives from Canton APCD re-inspected Respondent's facility. At that time, the inspectors found that while some violations identified in the March 19 inspection had been corrected by Respondent, a number of violations of OAC Rules and the facility's PTI and PTO STCs/GTCs remained for all three emissions units. These violations included recordkeeping, reporting, and operational requirement violations. Specifically, as identified in attached Table I, the following violations were observed during the March 31 inspection: for emissions unit F001, violation numbers 2, 3, and 4; for emissions unit F002, violation numbers 3, 4, 5, and 6; and for emissions unit F003, violation numbers 2, 3, 4, 5, 6, 9, 10, 11, and 13.

16. On May 11, 1998, Canton APCD sent a Notice of Violation ("NOV") to Respondent citing it for the violations observed during the March 19 and 31, 1998 inspections, as described above. Canton APCD requested that Respondent provide a control and compliance plan and address and resolve all cited violations by June 15, 1998. As a result of this NOV, after a series of telephone discussions, a meeting to resolve all violations at the facility took place between Canton APCD, Respondent, EWT, Inc. (Respondent's parent company), and Respondent's environmental consultant on May 28, 1998.

17. On June 4, 1998, representatives from Canton APCD inspected Respondent's facility again. At that time, the inspectors found that while some violations identified in the March 19 and March 31, 1998, inspections had been corrected by Respondent, several violations remained for emissions unit F003. These violations included recordkeeping, reporting, and operational requirement violations. Specifically, as identified in attached Table 1, the following violations were observed during the June 4, 1998 inspection for emissions unit F003; violation numbers 2, 6, 9, 10, and 11. Verbal notification was given to the Respondent regarding these violations.

18. On June 12, 1998, Respondent replied to the May 11, 1998, NOV. Respondent's "Control and Compliance Plan" was submitted to Canton APCD at that time. All cited violations were corrected by July 7, 1998 with the submission of required reports for the operation of emissions unit F002 to Canton APCD.

19. On August 4, 1998, representatives from Canton APCD and the Ohio EPA, Division of Air Pollution Control, Central Office, conducted a site visit and asbestos-containing material audit at Respondent's facility. No violations were observed and no inspection report was generated.

20. On October 3, 1998, a Canton APCD inspector observed a large quantity of mud on the roadway at the facility (emissions unit F002), in violation of PTI number 15-0766 STC (1)(B) and (C), and PTO STC Part II (A)(2) and (3).

21. In response to a complaint regarding fugitive dust being generated at Respondent's facility, on May 26, 2000, Canton APCD inspected the site and observed several violations of OAC Rule 3745-20-06. Specifically, as identified in attached Table I, the following violations were observed during the May 26, 2000 inspection of emissions unit F003; violation numbers 10, 11, and 12. Verbal notification was given to the Respondent regarding these violations. During a follow-up inspection on June 2, 2000, Canton APCD's inspectors found that proper fencing and sign placement was still an issue. When notified by Canton APCD, Respondent took immediate action to correct the violations and to return to compliance.

22. On September 4, 2002, a representative from Canton APCD inspected Respondent's facility. At that time, the inspector observed the following violations of OAC Rules 3745-20-06(B)(2), (3), and (4), and two additional violations of PTI number 15-1292 STCs:

- a. Exposed suspect RACM scattered in numerous locations in the RACM disposal cell was observed. The inspector observed broken bags and containers of RACM. Some of this material was recent and some was previously deposited, covered, and now exposed. Six samples of the suspect RACM was collected by the inspector and sent to Carolina Environmental, Inc. (an accredited laboratory) for analysis. Subsequent analysis showed that four of the samples contained RACM; three contained 5% to 20% chrysotile asbestos and

one sample contained 20% amosite asbestos, showing this to be a violation of OAC Rule 3745-20-06(B)(2) and of STC (A)(4)(c) of PTI number 15-1292.

- b. Respondent's "Asbestos Spill Contingency Plan" was not being followed, as required by the facility's PTI STCs. Broken and unsealed bags and containers of RACM, single-bagged bags of RACM, and bags of RACM without generator tags were observed. This material had been accepted into the facility without either following the facility's "Spill Contingency Plan," or notifying Canton APCD, as required by PTI number 15-1292 STC (A)(4)(b).
- c. Inadequate soil cover [i.e., less than 12 inches of cover, as required OAC Rule 3745-20-06(B)(3), and PTI number 15-1292 STCs (A)(4)(e) and (f)] was employed due to exposed RACM in older areas of the RACM disposal cell. The inspector also observed evidence that compaction of RACM without adequate soil cover had also occurred.
- d. The active C&DD working face was 70 feet from the active RACM disposal cell working face. No fencing separated the two working faces, and only two warning signs to restrict access to the active RACM disposal area were present. The signs also did not meet the dimensions or requirements of OAC Rule 3745-20-06(B)(4) or PTI number 15-1292 STC (A)(4)(d).

23. The above observations represent violations of OAC Rules 3745-20-06(B)(2), (3), and (4), as well as two additional violations of PTI number 15-1292 STCs. All of these violations had been previously identified in the original March 19, 1998, inspection, and all but one had been identified again as a violation in subsequent inspections. The violations observed during the September 4, 2002 inspection of emissions unit F003 are identified in attached Table 1 as violation numbers 1, 9, 10, 11, and 13.

24. Based on the above Findings, the Director of Ohio EPA finds that on September 4, 2002, emissions unit F003 at the Respondent's facility was observed to be in violation of the following OAC rules and ORC laws:

- a. OAC Rule 3745-20-06(B)(2) and ORC § 3704.05(G), for failure to prevent handling that caused RACM to be broken up or dispersed [also a violation of PTI number 15-1292 STC (A)(4)(c)];
- b. OAC Rule 3745-20-06(B)(3) and ORC § 3704.05(G), for failure to place sufficient daily cover over RACM deposited at the facility [also a violation of PTI number 15-1292 STC (A)(4)(c)];
- c. OAC Rule 3745-20-06(B)(4) and ORC § 3704.05(G), for failure to establish sufficient restricted area at the active waste disposal area and failure to display proper warning signs [also a violation of PTI

number 15-1292 STC (A)(4)(e)]; and

- d. ORC § 3704.05(C), for failure to comply with the special terms and conditions of Ohio EPA PTI number 15-1292. Specifically, in addition to violations of the STCs identified above, Respondent also failed to comply with PTI number 15-1292 STCs (A)(4)(b) [failure to inspect each load of RACM delivered to the facility and failure to dispose of improperly received material] and (A)(4)(f) [failure to ensure that disposed RACM shall not be re-excavated in subsequent operations, and failure to immediately cover accidentally exposed materials].

25. On September 6, 2002, a representative from Canton APCD re-inspected Respondent's facility. At that time, the inspector found that all violations at the facility except for those regarding proper inspection of loads and site access restriction (including associated signage) had been corrected (i.e., violation numbers 1, 9, and 11 as identified in attached Table I).

26. On November 22, 2002, Canton APCD sent an NOV to Respondent citing it for the violations observed during the September 4, 2002 inspection, as described above. Canton APCD requested that Respondent provide a compliance plan and schedule of implementation to rectify all of the cited violations and prevent further violations. This plan was required to be submitted to Canton APCD by December 31, 2002.

27. On January 2, 2003, Respondent replied to the November 22, 2002, NOV. A "Safety and Compliance Plan" was submitted to Canton APCD. Per the information supplied by Respondent, it appears that all cited violations were corrected by October 2, 2002.

28. On February 7, 2003, a representative from Canton APCD inspected Respondent's facility. At that time, the inspector found no violations of OAC Chapter 3745-20 or the STCs of PTI number 15-1292 at the facility.

29. The Director has given consideration to, and based his determination on, evidence relating to the technical feasibility and economic reasonableness of complying with the following Orders and their relation to benefits to the people of the State to be derived from such compliance.

V. ORDERS

The Director hereby issues the following Order:

Pursuant to ORC § 3704.06, Respondent is assessed a civil penalty in the amount of forty-one thousand, one hundred and twenty-five dollars (\$41,125) in settlement of Ohio EPA's claim for civil penalties. The above amount shall be paid to Ohio EPA pursuant to the following schedule. Payment shall be made in 11 equal monthly installments each in the amount of three thousand, five hundred dollars (\$3,500). The twelfth and final payment shall be in the amount of two thousand, six hundred and twenty-five dollars (\$2,625). The

first payment shall be due within thirty (30) days after the effective date of these Orders, with each subsequent payment due in thirty (30) day intervals thereafter. The final payment shall be due three hundred and sixty (360) days after the effective date of these Orders.

Each payment shall be made by an official check made payable to "Treasurer, State of Ohio" and shall be submitted to Brenda Case, or her successor, with a letter identifying the Respondent and emissions unit F003, to:

Ohio EPA, Office of Fiscal Administration
P.O. Box 1049
Columbus, Ohio 43216-1049

A copy of each check shall be sent to James A. Orlemann, Assistant Chief, Enforcement Section, or his successor, at the following address:

Division of Air Pollution Control
Ohio Environmental Protection Agency
P.O. Box 1049
Columbus, Ohio 43216-1049

Default or other failure to make any payment by the scheduled date and in the scheduled amount will make the entire balance immediately due and payable to Ohio EPA upon request of the Director.

VI. TERMINATION

Respondent's obligations under these Orders shall terminate upon Ohio EPA's receipt of all of the official checks required by Section V of these Orders.

VII. OTHER CLAIMS

Nothing in these Orders shall constitute or be construed as a release from any claim, cause of action or demand in law or equity against any person, firm, partnership or corporation, not a party to these Orders, for any liability arising from, or related to, Respondent's operation of the facility specified in these Orders.

VIII. OTHER APPLICABLE LAWS

All actions required to be taken pursuant to these Orders shall be undertaken in accordance with the requirements of all applicable local, state, and federal laws and regulations. These Orders do not waive or compromise the applicability and enforcement of any other statutes or regulations applicable to the Respondent.

IX. MODIFICATIONS

These Orders may be modified by agreement of the parties hereto. Modifications shall be in writing and shall be effective on the date entered in the journal of the Director of Ohio EPA.

X. RESERVATION OF RIGHTS

Ohio EPA and Respondent each reserve all rights, privileges, and causes of action, except as specifically waived in Section XII of these Orders.

XI. WAIVER

In order to resolve disputed claims, without admission of fact, violation, or liability, and in lieu of further enforcement action by Ohio EPA for only the violations specifically cited in these Orders, Respondent consents to the issuance of these Orders and agrees to comply with these Orders. Compliance with these Orders shall be a full accord and satisfaction for the Respondent's liability for the violations specifically cited herein.

Respondent hereby waives the right to appeal the issuance, terms and conditions, and service of these Orders, and Respondent hereby waives any and all rights Respondent may have to seek administrative or judicial review of these Orders either in law or equity.

Notwithstanding the preceding, Ohio EPA and the Respondent agree that if these Orders are appealed by any other party to the Environmental Review Appeals Commission, or any court, Respondent retains the right to intervene and participate in such appeal. In such an event, Respondent shall continue to comply with these Orders notwithstanding such appeal and intervention unless these Orders are stayed, vacated, or modified.

XII. EFFECTIVE DATE

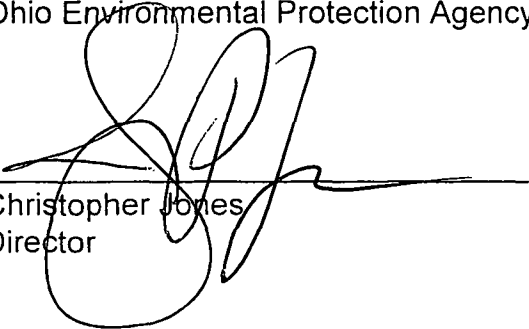
The effective date of these Orders is the date these Orders are entered into the Ohio EPA Director's journal.

XIII. SIGNATORY AUTHORITY

Each undersigned representative of a party to these Orders certifies that he or she is fully authorized to enter into these Orders and to legally bind such party to these Orders.

IT IS SO ORDERED AND AGREED:

Ohio Environmental Protection Agency

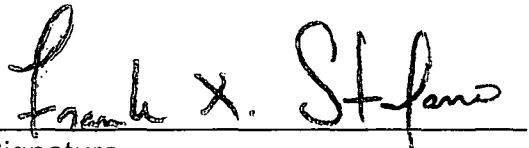


Christopher Jones
Director

12/31/03
Date

IT IS SO AGREED:

Minerva Enterprises, Inc.



Signature

12/30/03
Date

FRANK X. STUFANO
Printed or Typed Name

PRESIDENT
Title

TABLE I

**MINERVA ENTERPRISES, INC.
 SUMMARY OF VIOLATIONS**

#	Violation reference	Violation description	Dates of violation	Duration of violation
F001 Material Handling (C&DD Landfill)				
1	PTO* STC* Part II (A)(2.c)(1) PTI* #15-0766 STC (2)(B)(i) ORC* § 3704.05(C)	Failure to adequately cover C&DD by the end of each week's operation.	Observed on 03/19/98	1 day
2	PTO STC Part II (C)(1.a)(A) PTI #15-0766 STC (11)(A) ORC § 3704.05(C)	Failure to maintain facility daily records in a bound logbook.	09/15/97 to 06/03/98	181 days (6.0 months)
3	PTO STC Part II (D)(1.a)(B) PTI #15-0766 STC (12)(B) ORC § 3704.05(C)	Failure to submit an annual report of the number of tons of each type of waste material accepted for disposal and actual amount of particulate matter emissions generated. (submitted late)	02/15/98 to 05/13/98	87 days (2.9 months)
4	PTO GTC* Part I (3)(b) ORC § 3704.05(C)	Failure to submit quarterly reports of deviations or excursions from emissions limitations, operational restrictions, or operating parameter limitations. (submitted late)	10/31/97 to 05/13/98	194 days (6.5 months)
F002 Roadways (Plant Roadways C&DD Landfill)				
1	PTO STC Part II (A)(2.a), (2) & (3) PTI #15-0766 STC (1)(B) & (C) ORC § 3704.05(C)	Failure to properly clean paved roads and maintain paved roadways within the facility free of gross quantities of mud and foreign material.	03/19/98 and 10/03/98	2 days
#	Violation reference	Violation description	Dates of violation	Duration of violation

F002 Roadways (Plant Roadways C&DD Landfill) (continued)				
2	PTO STC Part II (A)(2.a)(5) & (2.b)(3) PTI #15-0766 STC (1)(E) & (K) ORC § 3704.05(C)	Failure to maintain all vehicles that travel on public roadways to remain on developed facility roadways and parking lots while in the facility.	Observed on 03/19/98	1 day
3	PTO STC Part II (A)(2.b)(1) PTI #15-0766 STC (1)(I) ORC § 3704.05(C)	Failure to assure unpaved facility roadways are aggregate covered.	Observed on 03/19/98 and 03/31/98	2 days
4	PTO STC Part II (A)(2.b)(2) PTI #15-0766 STC (1)(J) ORC § 3704.05(C)	Failure to remove mud, dust, or other foreign materials deposited on public roadways at the points of venue to the facility on a daily basis.	Observed on 03/19/98 and 03/31/98	2 days
5	PTO STC Part II (C)(1.a), (1.b), (1.c), (1.d) & (2) PTI #15-0766 STC (3)(A), (B), (C), (D) & (4) ORC § 3704.05(C)	Failure to keep adequate records of roadway cleaning operations and dust suppressant measure applications at the facility in a bound logbook.	09/15/97 to 04/01/98	198 days (6.6 months)
6	PTO GTC Part I (3)(b) ORC § 3704.05(C)	Failure to submit quarterly reports of deviations or excursions from emission limitations, operational restrictions, or operating parameter limitations. (submitted late)	10/31/97 to 07/07/98	249 days (8.3 months)
F003 RACM Handling and Disposal				
1	PTI #15-1292 STC (A)(4)(f) ORC § 3704.05(C)	Failure to ensure that disposed RACM shall not be re-excavated in subsequent operations, and failure to immediately cover accidentally exposed materials.	Observed on 03/19/98 and 09/04/02	2 days
#	Violation reference	Violation description	Dates of violation	Duration of violation
F003 RACM Handling and Disposal (continued)				

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2	PTI #15-1292 STC (A)(4)(h) ORC § 3704.05(C)	Failure to implement and maintain an "Asbestos Disposal Operating Procedures and Spill Contingency Plan."	12/03/97 to 06/12/98	191 days (6.4 months)
3	PTI #15-1292 STC (B)(1)(a) ORC § 3704.05(C)	Failure to maintain daily records at the facility in a bound logbook of tons of RACM received and of water applications, as required by STC (A).	12/03/97 to 04/01/98	119 days (4.0 months)
4	PTI #15-1292 STC (C)(1) ORC § 3704.05(C)	Late submission of an annual report of number of tons of RACM accepted for disposal.	02/15/98 to 05/13/98	87 days (2.9 months)
5	PTI #15-1292 STC (C)(2) ORC § 3704.05(C)	Late submission of quarterly reports of changes in method of storage or disposal and a list of all asbestos-containing waste consignments received, including origination, quantity, and any discrepancy discovered.	01/31/98 to 05/13/98	102 days (3.4 months)
6	PTI #15-1292 STC (B)(1)(b) ORC § 3704.05(C)	Failure to maintain RACM mapping records regarding the location of disposed materials.	12/03/97 to 06/04/98	183 days (6.1 months)
7	PTI #15-1292 STC (C)(6) ORC § 3704.05(C)	Failure to submit a notification for the excavating or otherwise disturbing of any RACM that has been deposited at a waste disposal site and is covered.	Discovered on 03/19/98	1 day
8	PTI #15-1292 STC (C)(7) ORC § 3704.05(C)	Failure to notify of any load of RACM which is rejected or any non-conforming load disposed of in accordance with the "Asbestos Spill Contingency Plan."	Discovered on 03/19/98	1 day
9	PTI #15-1292 STC (A)(4)(c) OAC Rule 3745-20-06(B)(2)* ORC §§ 3704.05(C) and (G)	Failure to conduct deposition and burial operations in a manner that prevents RACM from being broken up or dispersed prior to burial.	Observed on 03/19/98, 03/31/98, 06/04/98, and 09/04/02	4 days
#	Violation reference	Violation description	Dates of violation	Duration of violation

F003 RACM Handling and Disposal (continued)

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10	PTI #15-1292 STC (A)(4)(d) OAC Rule 3745-20-06(B)(4) ORC §§ 3704.05(C) and (G)	Failure to establish restricted access adequate to deter unauthorized entry of the general public or other personnel within 100 ft of the unloading, deposition, and burial areas for the RACM and display of improper hazard warning signs.	03/05/98 to 06/04/98 05/26/00 09/04/02 to 10/02/02	92 days (3.1 months) 1 day 28 days (<1 month)
11	PTI #15-1292 STC (A)(4)(e) OAC Rule 3745-20-06(B)(3) ORC §§ 3704.05(C) and (G)	Failure to cover deposited RACM with at least 12" of soil or nonasbestos-containing material each day; failure to prevent the disposal of RACM in the active working face of the C&DD landfill; and failure to dispose of the RACM in an area at least 100 feet from the active working face of the C&DD landfill.	Observed on 03/19/98, 03/31/98, 06/04/98, 05/26/00, and 09/04/02	5 days
12	PTI #15-1292 STC (D)(1)(c) OAC Rule 3745-20-06(A) ORC §§ 3704.05(A), (C), and (G)	Failure to prevent visible emissions during transportation, transfer, unloading, deposition, or compacting operations regarding RACM.	03/18/98 and 05/26/00	2 days
13	PTI #15-1292 STC (A)(4)(b) OAC Rule 3745-20-05(C)(5) (a)&(b) ORC §§ 3704.05(C) and (G)	Failure to inspect each load of asbestos-containing waste material delivered to the facility and failure to dispose of improperly received material in accordance with the procedures in the "Asbestos Spill Contingency Plan," with discrepancy noted on the waste shipment record.	03/19/98, 03/31/98 and 09/04/02 to 09/26/02	1 day 1 day 22 days (<1 month)
14	PTI #15-1292 GTC OAC Rule 3745-20-08(A) ORC §§ 3704.05(C) and (G)	Failure to complete and submit an "Installation Certificate" upon completion of the RACM landfill installation prior to start-up of the source and failure to submit proper notification at start-up.	12/03/97	Not applicable.

***Terms:**

C&DD Landfill	Construction and Demolition Debris Landfill
PTO	Permit to Operate
STC	Special Term and Condition
ORC	Ohio Revised Code
GTC	General Term and Condition
RACM	Regulated Asbestos-Containing Waste Material
OAC	Ohio Administrative Code