

DIRECTORS OFFICE  
15 MAR 2022 AM 10:49  
RECEIVED

March, 3, 2022

Director, Ohio Environmental Protection Agency  
50 West Town Street, Suite 700  
Columbus, Ohio 43215

Re: Verified Complaint against Bond Road Site, Inc.

Dear Director:

As authorized by Ohio law, Gary Hammerle submits for your consideration and prompt review this verified complaint regarding closure procedures for landfills in Ohio. There has been clear violations of failure to comply with mandatory closure procedures defined by the Ohio Environmental Protection Agency.

### **Standing**

Gary Hammerle is a resident of Dearborn County, Miller Township, in the State of Indiana, and will be directly adversely impacted by Bond Road Site, Inc. This landfill is next door to my home and will adversely impact me and my family by affecting the quality of the air we breathe and the water we drink. It will also adversely affect my property value.

### **Background**

Bond Road Site, Inc., located at 11425 Bond Rd, Harrison, Ohio 45030 has violated Rule 3745-27-11 section C 1 d. Bond Road Site, Inc. failed to receive solid waste for disposal at the sanitary landfill facility for a period of greater than one year and all final elevations of the limits of waste placement have not been reached. See attached Exhibit A

In 1999 there was no waste accepted at the facility.

In 2012 there was no waste accepted at the facility.

In 2013 there was no waste accepted at the facility.

On 5/18/2016 Bond Road Site, Inc. accepted a load at the facility and did not accept another load until a period of greater than one year, on 6/30/2017.

On 6/30/2017 Bond Road Site, Inc. accepted one load at the facility and did not accept another load until a period of greater than one year, on 7/12/2018.

On 6/28/2019 Bond Road Site, Inc. accepted one load at the facility and did not accept another load for a period of greater than one year, on 7/10/2020.

### **Complaint**

- I. Bond Road Site, Inc.. has violated Rule 3745-27-11 section C 1 d. Bond Road Site, Inc. failed to receive solid waste for disposal at the sanitary landfill facility for a period of

greater than one year and all final elevations of the limits of waste placement have not been reached on numerous occasions as mentioned above.

- II. Ohio Administrative Code 3745-27-11 states the following for Mandatory closure procedures.

**(C) Mandatory closure. The owner or operator shall begin final closure activities in accordance with the final closure/post-closure plan and paragraph (F) of this rule not later than seven days after any of the occurrences specified in this paragraph.** Approval of the final closure/post-closure plan does not affect the owner's or operator's obligations to begin and complete final closure activities in accordance with paragraphs (G) and (H) of this rule.

**(1) It is mandatory to begin closure activities for a sanitary landfill facility upon the occurrence of any of the following:**

(a) A solid waste disposal license issued for the sanitary landfill facility has expired, and a renewal license has not been applied for in the manner prescribed in rules adopted under Chapter 3734. of the Revised Code.

(b) A solid waste disposal license issued for the sanitary landfill facility has expired, and another license has been applied for and denied as a final action.

(c) A solid waste disposal license issued for the sanitary landfill facility has been revoked as a final action.

**(d) The owner or operator ceases to receive solid waste for disposal at the sanitary landfill facility for a period of greater than one year and all final elevations of the limits of waste placement have not been reached.**

- III. Bond Road Site, Inc. should be forced to be in compliance with the mandatory closure procedures, as defined by Ohio Administrative Codes, effective immediately and void all current permits for failure to follow final closure plans not later than seven days after occurrences.

### Conclusion

Bond Road Site, Inc. has continually failed to comply with the Ohio Administrative Code on several occasions and should be required to enact closure procedures for landfills as defined by Rule 3745-27-11, and should be effective immediately. All current issued permits should be null and voided. Gary Hammerle urges you to investigate this situation, pursue other appropriate orders and proceedings pursuant to your authority under 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 for your prompt response on this important issue.

STATE OF OHIO

Hamilton COUNTY SS

THE UNDERSIGNED GARY HAMMERLE, BEING FIRST DULY SWORN AND CAUTIONED, STATES THAT THE FACTS AND ALLEGATIONS OF THE ABOVE COMPLAINT ARE TRUE TO THE BEST OF HIS/HER KNOWLEDGE.

Gary Hammerle  
(Name of Complainant)

THE ABOVE COMPLAINT WAS SIGNED AND SWORN TO BEFORE ME AND IN MY PRESENCE BY THE ABOVE NAMED Gary Hammerle A PERSON KNOWN TO ME ON THE 4<sup>th</sup> DAY OF March, 2022



STEVEN G. SCHNELL  
Notary Public, State of Ohio  
My Commission Expires 04-15-2023

[Signature]  
NOTARY PUBLIC

## **EXHIBIT A**

1999 – Annual Report dated 3/29/2000 noting *“no waste was received at the site during 1999 due to construction activities.”*

2000 – Per annual report 47,336.92 tons.

9 Waste load inspections (9/22, 12/21)

2001 – Per annual report 36.91 tons.

3 Waste load inspections (4/2, 9/28, 10/1)

2002 – Per annual report 52.27 tons.

3 Waste load inspections (3/29, 4/1, 10/1)

2003 – Per annual report 45.37 tons.

4 Waste load inspections (3/31, 4/1, 9/30, 10/1)

2004 – Per annual report 20.02 tons.

2 Waste load inspections (6/30, 7/1)

2005 – Per annual report 22.51 tons.

2 Waste load inspections (6/30, 7/1)

2006 – Per annual report 26.03 tons.

2 Waste load inspections (6/30, 7/3)

2007 – Per annual report 23.06 tons.

2 Waste load inspections (6/29, 7/2)

2008 – Per annual report 25.59 tons.

2 Waste load inspections (6/30, 7/1)

2009 – Per annual report 21.33 tons.

2 Waste load inspections (6/30, 7/1)

2010 – Per annual report 27.07 tons.

2 Waste load inspections (6/30, 7/1)

2011 – Per annual report 21.68 tons.

2 Waste load inspections (6/30, 7/1)

2012 – Per annual report 0.00 tons.

No waste load inspections.

2013 – Per annual report 0.00 tons.

No waste load inspections.

2014 – Per annual report 0.15 tons.

1 Waste load inspection (5/28)

2015 – Per annual report 0.03 tons.

1 Waste load inspection (5/21)

2016 – Per annual report 0.14 tons

1 Waste load inspection (5/18)

2017 – Per annual report 9.69 tons.

1 Waste load inspection (6/30)

2018 – Per annual report 9.08 tons.

1 Waste load inspection (7/12)

2019 – Per annual report 0.06 tons.

1 Waste load inspection (6/28)

2020 – Per annual report 0.17 tons.

1 Waste load inspection (7/10)