



Pennsylvania Department of Environmental Protection

Lee Park, Suite 6010
555 North Lane
Conshohocken, PA 19428
March 4, 2002

Southeast Regional Office

610-832-6212
Fax 610-832-6143

NOTICE OF VIOLATION

Mr. Michael Losito
Nutra Soils, Inc.
181 Willow Street
P.O. Box 485
Toughkenamon, PA 19374

Re: Routine Inspection
February 13, 2002
Nutra Soils, Inc.
London Grove Township
Chester County
General Permit No. WMGR025SE001

Dear Mr. Losito:

This letter is to confirm the findings of the Department of Environmental Protection's (Department) February 13, 2002, inspection of your residual waste activities. Requirements for residual waste facilities are contained in the Solid Waste Management Act, Act of July 7, 1980, P. L. 380, No. 97, as amended, 35 P.S. Sections 6018.101 et seq. (SWMA, Act 97), and in Chapters 287 through 299 of the Rules and Regulations of the Department. Violations observed during the inspection are as follows:

- A. Large piles of finished compost are stored over the edges of Pads 2A – C, in half of the field across from Pad 2C, and to the north and south of Pad 1. A composting facility, as defined in the General Permit, includes all raw materials and waste storage areas, the composting and curing areas, and the finished compost storage area. To operate under General Permit No. WMGR025SE001, the composting facility should not exceed fifteen (15) acres. Nutra Soils' storage of finished product, raw materials, and spent mushroom substrate (SMS) is in an area greater than fifteen (15) acres. This is contrary to permit Condition No. 5. The storage of the finished compost is in areas not delineated in Nutra Soils' General Permit application and drawings. This is contrary to permit Condition No. 34.



- B. Finished compost is not being stored on an approved pad. Large quantities of leachate are being generated from these piles of finished compost and ponding in areas. The leachate is not collected and is generating odors. Finished compost should be stored in a manner that prevents the creation of odors and other nuisances, which may be harmful to public health, safety, welfare, or the environment. The improper storage of the finished compost is contrary to permit Conditions Nos. 10, 11, 14, and 15 and is a violation of 25 Pa. Code Sections 299.115 and 299.116(c).
- C. On the western end of Pad 1, Nutra Soils has been passively composting SMS in a large pile for over one year. Failure to use windrows, aerated static piles, or enclosed vessel methods for composting is contrary to permit Condition No. 3. Storage of compost over one year is contrary to permit Condition No. 12 and is a violation of Section 6018.301 and 302 of the SWMA and 25 Pa. Code Section 299.113.
- D. Operation of the facility contrary to the conditions of the General Permit is a violation of 25 Pa. Code Section 287.652.

You are notified of both the existence of the violations as well as the need to provide prompt correction. Failure to correct the violations may result in legal proceedings under the Solid Waste Management Act. Under the Act, each day of the violation is considered a distinct and separate offense and will be handled accordingly.

Within fourteen (14) days of receipt of this notice, please submit a proposed plan and schedule to the Department for correction of the violations.

This Notice of Violation is neither an order nor any other final action of the Department of Environmental Protection. It neither imposes nor waives any enforcement action available to the Department under any of its statutes. If the Department determines that an enforcement action is appropriate, you will be notified of the action.

Mr. Michael Losito

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March 4, 2002

If you have any questions concerning this matter, please do not hesitate to call me at 610-832-6181.

Sincerely,

A handwritten signature in cursive script that reads "Kevin C. Bauer".

Kevin C. Bauer
Waste Management Specialist
Waste Management Program

cc: Mr. Bonner
Ms. Roncetti
Mr. Bigelow
Mr. Socash
London Grove Township
Re 30 (RN02)060-22

