



State of Ohio Environmental Protection Agency

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10/26/2009

Mr. Steve Lonneman, District Manager
Evergreen Recycling and Disposal Facility
2625 East Broadway
Northwood, Ohio 43619

**Re: Evergreen Recycling and Disposal Facility, Wood County
Ohio Administrative Code (OAC) Rule 3745-27-10(D)(7)(c)(ii)
Response to Request to Reinstate Detection Monitoring**

Dear Mr. Lonneman:

On June 25, 2009, the Ohio Environmental Protection Agency (Ohio EPA), Division of Solid and Infectious Waste Management (DSIWM), Northwest District Office (NWDO), received a document titled "*2009 First Semiannual Detection Ground-Water Results, Statistical Analysis and OAC 3745-27-10(D)(7)(c)(ii) Demonstration*" dated June 22, 2009, for the Evergreen Recycling and Disposal Facility (Facility), located in Wood County. This document was submitted by Eagon & Associates, Inc. on behalf of Waste Management and included a request to continue detection monitoring at specific wells at the Facility despite statistically significant increases in the data collected for those wells during the April 13-15, 2009 ground water sampling event at the Facility.

According to the document, analysis of the ground water detection monitoring data indicated that the following statistically significant changes were detected: chloride at monitoring well MW-21UT and ammonia at monitoring well MW-20.

Verification sampling was performed on June 5, 2009. The re-sampling data confirmed the statistically significant changes for chloride at monitoring well MW-21UT and ammonia at monitoring well MW-20.

Pursuant to OAC Rule 3745-27-10(D)(7)(c)(ii), the owner or operator may demonstrate that a source other than the sanitary landfill facility caused the contamination, or that the statistically significant change resulted from error in sampling, analysis, or statistical evaluation or natural variation in ground water quality. A report documenting this demonstration must be submitted to and approved by Ohio EPA. If the owner or

Ted Strickland, Governor
Lee Fisher, Lieutenant Governor
Chris Korleski, Director

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operator does not obtain approval to continue detection monitoring within two hundred ten (210) days from initial sampling, the owner or operator is required to comply with the provisions of OAC Rule 3745-27-10(E) for ground water quality assessment monitoring.

The June 22, 2009 document concluded that the statistically significant change for chloride at monitoring well MW-21UT was due to a source other than the sanitary landfill and not as a result of impact from the landfill, and ammonia at monitoring well MW-20 was the result of natural variation in groundwater quality and not as a result of impact from the landfill.

Ohio EPA has reviewed the applicable information and concurs with the demonstration for chloride at monitoring well MW-21UT and ammonia at monitoring well MW-20, included in the June 22, 2009 document. Therefore, pursuant to OAC Rule 3745-27-10(D)(7)(c)(ii), the owner or operator is hereby authorized to continue the detection monitoring program at the Facility for monitoring wells MW-21UT and MW-20. The demonstration for MW-22UT will be addressed by a separate letter.

Should future or existing ground water sampling results indicate statistically significant changes in ground water monitoring parameters, the owner or operator will be required to either enter into assessment monitoring in accordance with OAC Rule 3745-27-10(E) or obtain approval to remain in the detection monitoring program.

A detailed account of Ohio EPA's review of the ground water demonstration will be sent to you under separate cover.

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

Environmental Review Appeals Commission
309 South Fourth Street
Room 222

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If you have any questions concerning this letter, please contact Brent M. Goetz of Ohio EPA, NWDO at 419-373-4114.

Sincerely,

Shannon Nabors, Chief
Northwest District Office
for Chris Korleski, Director

pc: Kristin Tillison, Wood County Health Department
Brent M. Goetz, DSIWM, NWDO
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