



State of Ohio Environmental Protection Agency

STREET ADDRESS:

MAILING ADDRESS:

Lazarus Government Center  
122 S. Front Street  
Columbus, Ohio 43215

TELE: (614) 644-3020 FAX: (614) 644-3184  
www.epa.state.oh.us

P.O. Box 1049  
Columbus, Ohio 43216-1049

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

**Re: Evergreen Recycling and Disposal Facility, Wood County  
OAC Rule 3745-27-10(E)(9)(b), Refuse to Grant Reinstatement**

Dear Mr. Downing:

On July 30, 2004, the Ohio Environmental Protection Agency (Ohio EPA), Division of Solid and Infectious Waste Management (DSIWM), Northwest District Office (NWDO) received a document titled "2004 First Semiannual Ground-Water Results and Statistical Analyses," dated July 29, 2004, for the Evergreen Recycling and Disposal Facility (Facility) located in Wood County. This document contained demonstrations, pursuant to Ohio Administrative Code (OAC) Rule 3745-27-10(D)(7)(c)(ii), for the May 17-19, 2004, sampling event and the July 13-14, 2004, and July 22-23, 2004, resampling events. These demonstrations were submitted due to statistically significant increases of chloride at monitoring wells MW-18UT and MW-19UT. The document included requests to continue detection monitoring at MW-18UT and MW-19UT. Since the 210-day period from sampling allowed by OAC Rule 3745-27-10(D)(7)(c)(ii) has lapsed, the demonstrations were reviewed in accordance with OAC Rule 3745-27-10(E)(9)(b).

Pursuant to OAC Rule 3745-27-10(E)(9)(b), 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 from natural variation in ground water quality. If Ohio EPA concurs with the demonstration, then the ground water monitoring well can be returned to the detection monitoring program.

Ohio EPA has reviewed the July 30, 2004, document and has determined that the owner or operator has not demonstrated that the statistically significant increases in chloride at monitoring wells MW-18UT and MW-19UT were not the result of impact from the Facility. Therefore, at this time, I refuse to grant approval to reinstate ground water monitoring wells MW-18UT and MW-19UT to the ground water detection monitoring program at the Facility. The owner or operator shall comply with the ground water quality assessment program pursuant to OAC Rule 3745-27-10(E).

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

Bob Taft, Governor  
Jennette Bradley, Lieutenant Governor  
Joseph P. Koncelik, Director

Mr. Bob Downing, District Manager  
Page 2 of 2

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 (Commission) pursuant to Ohio Revised Code Section 3745.04. 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. A copy of the appeal must be served on the Director within three (3) days of filing with the Commission. An appeal may be filed with the Commission at the following address:

Environmental Review Appeals Commission  
309 South Fourth Street  
Room 222  
Columbus, Ohio 43215

If you have any questions concerning this document, you may contact Kimberly Burnham of Ohio EPA, NWDO at (419) 373-3049.

Sincerely,

Joseph P. Koncelik  
Director

JPK/MM/sw

cc: Jim Konopinski, Wood County Health Department  
Al Razem, Eagon & Associates, Inc.  
Scott Hester, DSIWM-CO  
Chad Zajkowski, DDAGW-NWDO  
Kimberly Burnham, DSIWM-NWDO  
Pat Bacon, City of Northwood

id: 5-4506