



State of Ohio Environmental Protection Agency

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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(E)(9)(b)
Response to Request to Reinstate Detection Monitoring**

Dear Mr. Lonneman:

On October 14, 2009, the Ohio Environmental Protection Agency (Ohio EPA), Division of Solid and Infectious Waste Management (DSIWM), Northwest District Office (NWDO) received a document titled *“Request for Director’s Approval per OAC Rule 3745-27-10(D)(7)(c)(ii), Addendum for MW-22UT”* dated October 12, 2009 for the Evergreen Recycling and Disposal Facility (Facility) located in Wood County . The document was submitted by Eagon & Associates, Inc., on behalf of Waste Management, owner/operator. The document served as an addendum for a demonstration previously submitted in the report *“2009 First Semiannual Detection Ground-water Results, Statistical Analysis and OAC 3745-27-10(D)(7)(c)(ii) Demonstration, Evergreen Recycling and Disposal Facility”* dated June 22, 2009, which 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. Since the time limits in accordance with OAC Rule 3745-27-10(D)(7)(c)(ii) were exceeded, Ohio EPA has reviewed this request pursuant to 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 and request that the director approve reinstatement of the detection monitoring program.

The June 22, 2009 demonstration and October 12, 2009 addendum concluded that the statistically significant changes for chloride and sodium at MW-22UT were due to a source other than the sanitary landfill, and not as a result of impact from the landfill.

Ohio EPA has reviewed the applicable information and concurs that the statistically significant changes were not a result of the landfill. Ohio EPA concluded from the information included in the June 22, 2009 demonstration and October 12, 2009 addendum that the statistically significant changes were the result of road salt and not a result of impact from the landfill. Therefore, pursuant

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

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to OAC Rule 3745-27-10(E)(9)(b), the owner or operator is hereby authorized to continue the detection monitoring program at the Facility for monitoring well MW-22UT.

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 the ground water quality assessment monitoring program in accordance with OAC Rule 3745-27-10(E) or obtain approval to remain in the detection monitoring program pursuant to OAC Rule 3745-27-10(D)(7)(c).

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 is final and may be appealed to the Environmental Review Appeals Commission (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
Columbus, Ohio 43215

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
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