

STREET ADDRESS:

Lazarus Government Center
122 South Front Street
Columbus, OH 43215

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

MAILING ADDRESS:

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

December 11, 2006

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) Approval**

Dear Mr. Lonneman:

On July 31, 2006, the Ohio Environmental Protection Agency (Ohio EPA), Division of Solid and Infectious Waste Management (DSIWM), Northwest District Office (NWDO) received a document titled "2006 First Semiannual Ground-Water Results and Statistical Analyses (Demonstration), Evergreen Recycling and Disposal Facility," dated July 25, 2006, for the Evergreen Recycling and Disposal Facility (Facility) located in Wood County. On September 25, 2006, Ohio EPA, DSIWM, NWDO received a document titled "Addendum to Alternate Source Demonstration for Well MW-18, Evergreen Recycling and Disposal Facility, Wood County, Ohio," dated September 20, 2006. These documents were submitted by Eagon & Associates Inc. on behalf of Waste Management Inc., and contain the ground water sampling results and the statistical analysis from the May 2006 ground water sampling event at the Facility.

According to the documents, analysis of the ground water detection monitoring data indicated that the following statistically significant changes were detected: chloride at MW-18UT, MW-19UT, and MW-22UT; and vanadium at MW-18.

Verification sampling was performed on June 14 and July 7, 2006. The re-sampling data verified the statistically significant changes for chloride at MW-18UT, MW-19UT, MW-22UT, and for vanadium at MW-18.

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 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 July 25, 2006 document and September 20, 2006 addendum concluded that the statistically significant changes for chloride in monitoring wells MW-18UT, MW-19UT, and MW-22UT were due to application of halite (road salt) on nearby Facility roads, and that the statistically significant change for vanadium in monitoring well MW-18 was due to increased



Mr. Steve Lonneman, District Manager

Page 2

turbidity caused by a damaged well casing, and not as a result of impact from the landfill. Monitoring wells MW-18, MW-18UT, MW-19UT, and MW-22UT were initially sampled on May 16, 2006.

Ohio EPA has reviewed the applicable information and concurs with the demonstrations included in the July 25, 2006 and September 20, 2006 documents. 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-18, MW-18UT, MW-19UT, and 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 assessment monitoring in accordance with OAC Rule 3745-27-10(E) or obtain approval to remain in the detection monitoring program.

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
Columbus, Ohio 43215

If you have any questions concerning this letter, please contact Kimberly Burnham of Ohio EPA, NWDO at 419-373-3049.

Sincerely,

Shannon Nabors, Chief
Northwest District Office
for Joseph P. Koncelik, Director

PC: Jim Konopinski, Wood County Health Department
Scott Hester, DSIWM, CO
Chad Zajkowski, DDAGW, NWDO
Jack Leow, DDAGW, NWDO
Kimberly Burnham, DSIWM, NWDO
Allan Razem, Eagon & Associates, Inc.