



Mike DeWine, Governor  
Jon Husted, Lt. Governor  
Laurie A. Stevenson, Director

July 10, 2020

Mr. Glen McMillan  
Chief Financial Officer  
Bridgemarq Real Estate Services  
181 Bay Street, Suite 300  
Toronto, ON M5J 2T3  
Canada

Re: Fraser Papers Inc. Landfill  
Director's Authorization  
Approval  
Residual Solid Waste Landfills  
Montgomery County  
RSWL018779

**Subject: Extension of Post-Closure Care Period**

Dear Mr. McMillan:

Bridgemarq Real Estate Services formerly known as Fraser Papers LLC is the owner of the class III residual waste landfill, Fraser Papers, Inc. Landfill (Facility) located at 4950 Pinnacle Road, Moraine, Montgomery County, Ohio. On July 22, 2005, Ohio EPA received the final closure certification for the Facility in accordance with Ohio Administrative Code (OAC) Rule 3745-30-09. As a class III residual waste landfill, the applicable post-closure period for the Facility is fifteen (15) years. Therefore, the post-closure care period is set to end on or about July 22, 2020.

The Facility closed under the residual waste landfill regulations and the approved closure/post-closure plan. The Facility is currently conducting post-closure care compliance inspections, semiannual ground water monitoring in accordance with the ground water detection monitoring plan, and quarterly explosive gas monitoring in accordance with the approved explosive gas monitoring plan.

Based on recent compliance reports and onsite observations, the Facility continues to generate leachate and explosive gas in addition to having areas of differential settlement and ponding. Additionally, there are statistically significant increasing trends of indicator parameters in downgradient wells.

Pursuant to OAC Rule 3745-30-10(B)(2), the post-closure care period may be extended "Any time during the post-closure period, based on such factors as the inspection or monitoring results required by paragraphs (C)(4) and (C)(5) of this rule and whether human health and safety or the environment is or will be protected, or whether a nuisance is or will be created." Based on recent compliance reports and onsite observations, the Facility continues to generate leachate and explosive gas, in addition to having areas of differential settlement and ponding. Also, there are statistically significant increasing trends of indicator parameters in downgradient groundwater wells. It is unclear at this time whether cessation of all post closure care activities would be protective of human health, safety and the environment.

It is for these reasons that I have determined that an extension of the post-closure care period for Fraser Papers Inc. Landfill is necessary to protect human health or safety or the environment. I hereby require the continuation of post-closure care activities for five (5) years, until July 22, 2025. To the extent that I determine that the post-closure care period should be continued beyond July 22, 2025, I will inform you of my determination in writing before the expiration of the extended post-closure care period. This extension is required to provide Bridgemarq Real Estate Services with the opportunity to demonstrate that explosive gas, leachate, differential settlement or ground water contamination detected at the Facility will not likely cause a threat to human health or safety or the environment. If during the extended post-closure care period the owner can successfully address the outstanding issues at the facility, then the owner may request a reduction in the post-closure care requirements.

You are hereby notified that this action of the director of Environmental Protection (Director) is final and may be appealed to the Environmental Review Appeals Commission (Commission) pursuant to ORC 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. The appeal must be accompanied by a filing fee of \$70.00, made payable to "Treasurer, State of Ohio." The Commission, in its discretion, may reduce the fee if by affidavit it is demonstrated 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  
30 East Broad Street, 4<sup>th</sup> Floor  
Columbus, OH 43215

If you have any questions regarding this letter, please contact Richard Miller of Ohio EPA, SWDO at (937) 285-6647.

Sincerely,



Laurie A. Stevenson  
Director

ec: Tom Hut, Public Health Dayton & Montgomery County  
Michelle Ackenhausen, DMWM, SWDO  
Jeremy Carroll, DMWM, CO  
Alison Shockley, DMWM, CO