



DEC 28 2015

John R. Kasich, Governor
Mary Taylor, Lt. Governor
Craig W. Butler, Director

OHIO E.P.A.
DEC 28 2015

ENTERED DIRECTOR'S JOURNAL

Mr. Steve Lonneman,
District Manager
Evergreen RDF
2625 East Broadway
Northwood, Ohio 43619

Re: Evergreen Recycling & Disposal
Director's Authorization
Approval
Municipal Solid Waste Landfills
Wood County
MSWL018761

**Subject: Evergreen RDF Landfill, Wood County
Ohio Administrative Code (OAC) Rule 3745-27-10(D)(2) and
OAC Rule 3745-27-10(D)(3) Approvals**

Dear Mr. Lonneman:

On September 23, 2015, the Ohio Environmental Protection Agency (Ohio EPA), Division of Materials and Waste Management (DMWM), Northwest District Office (NWDO), received two documents titled "OAC 3745-27-10(D)(2) Alternate Ground-Water Parameter List Request - Removal of COD" and "OAC 3745-27-10(D)(3) Alternate Ground-Water Parameter List Request Wells MW-16UT and MW-17UT", both dated September 21, 2015, for the Evergreen Recycling & Disposal Facility (Facility) located in Wood County. These documents were submitted by Eagon & Associates on behalf of the Owner/Operator, pursuant to OAC Rule 3745-27-10(D)(2) and OAC Rule 3745-27-10(D)(3), and requested deletion and replacement of specific OAC Rule 3745-27-10 Appendix I ground water monitoring constituents which are required for the ground water monitoring program at the Facility.

Pursuant to OAC Rule 3745-27-10(D)(2), the owner or operator of a sanitary landfill facility may propose to delete any of the OAC Rule 3745-27-10 Appendix I monitoring parameters to be used to meet the requirements of the ground water detection monitoring program, pursuant to OAC Rule 3745-27-10(D)(5) - (8). The director may approve the alternative list of monitoring parameters if the removed parameters are not reasonably expected to be in or derived from the waste contained or deposited in the sanitary landfill facility.

Additionally, pursuant to OAC Rule 3745-27-10(D)(3), the owner or operator of a sanitary landfill facility may propose that an alternative list of inorganic indicator parameters be used to meet the requirements of the ground water detection monitoring program, pursuant to OAC Rule 3745-27-10(D)(5), in lieu of some or all of the inorganic parameters listed in Appendix I of OAC Rule 3745-27-10.

The director shall approve the alternative inorganic indicator parameters if the alternative list will provide a reliable indication of inorganic releases from the sanitary landfill facility to the ground water.

The submittal states *"This (D)(2) request is to return to the parameter list specified in the [currently effective] rules...The parameter COD was removed from the Appendix I parameter list with the August 2003 update to OAC Rule 3745-27-10; therefore, this request will remove COD from the parameter list for both the UAS wells and the SZS wells."*

Ohio EPA has reviewed the applicable information pursuant to OAC Rule 3745-27-10(D)(2), and concurs with this conclusion.

The submittal also states *"In accordance with OAC Rule 3745-27-10(D)(3), Evergreen RDF is requesting an alternate parameter list for wells MW-16UT and MW-17UT from the current Alternate Parameter List that was approved October 23, 2002 by Ohio EPA. In the October 23, 2002 Ohio EPA letter, Ohio EPA approved substituting parameters potassium and total alkalinity for parameters sodium and chloride."*

At the time of the OAC Rule 3745-27-10(D)(3) approval in 2002, it was believed that the increases in sodium and chloride concentrations at MW-16UT and MW-17UT were caused by road salt applied to the haul road along the eastern side of the facility. Because of this, the October 23, 2002 approval letter stated that at any time sodium and/or chloride concentrations returned to historic background levels, as defined by comparison to background concentrations up to the year 2001, the owner/operator must return to using sodium and/or chloride as inorganic statistical indicator parameters.

Road salt has not been applied along the eastern side of the facility since 2001, and the concentrations of sodium and chloride started decreasing after the October 23, 2002 approval as anticipated.

However, beginning around 2008, the concentrations of sodium and chloride at MW-16UT started steadily increasing, and in 2012 a release of waste-derived constituents occurred at MW-17UT from an abandoned leachate line also along the eastern side of the facility. Ohio EPA believes that the leachate line, not road salt, may have been responsible for the 2002 statistical significant increases observed in MW-16UT and MW-17UT.

Regarding this, the submittal states *"This (D)(3) request is to return to the parameter list specified in the [currently effective] rules for significant zone of saturation monitoring wells MW-16UT and MW-17UT...."*

Mr. Steve Lonneman
Page 3

Ohio EPA has reviewed the applicable information pursuant to OAC Rule 3745-27-10(D)(3), and concurs with this conclusion.


This approval shall not be construed to release the owner or operator from the obligation to comply with the requirements of any other ground water monitoring program being conducted at the Facility.

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 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. 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
77 South High St., 17th Floor
Columbus, Ohio 43215

If you have any questions concerning this letter, please contact Tyler Madeker of Ohio EPA, NWDO at (419) 373-3078.

Sincerely,


Shannon Nabors, Chief
Northwest District Office
for Craig W. Butler, Director

/zss

cc: Mike Reiser, DMWM, NWDO
Tyler Madeker, DMWM, NWDO
Scott Hester, DMWM, CO
Ken Brock, DDAGW, NWDO
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5-14730 & 5-14731