



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

RCRA Corrective Action Statement of Basis

Facility Name: The Scotts Company, LLC

U.S. EPA I.D.: OHD 900 834 483

Location:

14111 Scottslawn Road
Marysville, Ohio 43065

Activity:

RCRA corrective action statement of basis for entering hazardous waste landfill Pond 1 that is currently in post-closure care into corrective action.

Comment Period:

April 12, 2018 – June 1, 2018

Submit Comments to:

Ohio EPA

ATTN: Don Vogel

Division of Environmental Response and Revitalization

P.O. Box 1049

Columbus, Ohio 43216-1049

(614) 644-2924

donald.vogel@epa.ohio.gov

Pond 1 Landfill Unit



Statement of Basis for Scotts Pond 1 Corrective Action
Page 1 of 3

Pond 1:

Pond 1 is located in the northwestern area of Scotts' property. It lies east of Pond 6 and north of the West Plant tank farm. Historically, the Trionized Plant at Scotts produced a liquid waste which was disposed in Pond 1. The approved December 1987 closure plan was used to close Pond 1 as a landfill by in-place solidification of the waste material in the pond in 1988. An engineered clay cap system with a gas vent and carbon treatment was placed over the solidified waste.¹

Pond 1 was certified closed in November 1988. Financial assurance was put in place to maintain and monitor the landfill for the 30-year post-closure period. A consent order dated April 13, 1992 detailed the requirements of the post closure plan. Ohio EPA approved the revised post closure plan with modifications December 29, 1994. The April 13, 1992 consent order was terminated on January 25, 2002 and the 30-year post closure plan term is set to expire in November 2018. Pond 1 ground water has been monitored for 2,4-D, 2,4-dichlorophenol, dissolved mercury, dissolved arsenic, and specific conductivity as part of the post-closure plan. Even though Pond 1 groundwater monitoring is being conducted under the RCRA closure program, the Pond 1 ground-water quality parameters are those in the uniform groundwater monitoring plan for the Scotts facility. As such, Pond 1 ground water is now monitored for 2,4,5-T, 2,4-D (herbicides); chlordane, 4-4'-DDD, 4,4'-DDT, heptachlor (pesticides); benzo(a)anthracene, fluoranthene, phenanthrene, pyrene (SVOCs); arsenic, cadmium, chromium, and mercury (dissolved metals). In addition, field parameters are measured: pH, specific conductance, temperature, and turbidity. Groundwater monitoring at the other waste management units (WMUs) in the West Plant Area is being conducted under the site-wide corrective action monitoring program. Pond 1 O & M inspections and maintenance are being conducted along with the other West Plant Area units.

¹ Scotts evaluated whether there was any flow from this vent during the week of September 18, 2017. The results showed virtually no flow.

**Statement of Basis for Scotts Pond 1 Corrective Action
Page 2 of 3**

Current Conditions at Pond 1	Environmental Conditions that May Continue to Exist at Pond 1	Scotts' Proposed Remedy	Ohio EPA Proposed Remedy to Address Conditions
<p>1) Pond 1 contains solidified waste with presence of primarily arsenic, mercury, 2,4-D, and the breakdown product of 2, 4-dichlorophenol.</p>	<p>1) The arsenic and mercury will not break down and will remain in the stabilized Pond 1 Landfill matrix.</p>	<p>1) With the Pond 1 30-year post-closure care term ending in 2018, Scotts proposes to formally transfer Pond 1 post-closure environmental obligations, including O&M, groundwater monitoring, and financial assurance, to the site-wide RCRA Corrective Action program and terminate RCRA Closure obligations. [Points summarized below subject to terms and conditions of final Corrective Action Order. To the extent the points below are inconsistent with the final Corrective Action Order, the Order controls.]</p>	<p>1) The Corrective Action West Plant groundwater monitoring area already is monitoring Pond 1 groundwater effectively.</p>
<p>2) Pond 1 has an engineered cap, an O & M plan to maintain it, and financial assurance for groundwater sampling and maintenance. These activities will be required through the Corrective Action.</p>	<p>2) The landfill cap would be damaged if deep rooted plants become established, therefore O&M, including mowing, must continue.</p>	<p>2) Pond 1 will continue to be maintained with regular mowing and O & M inspections along with the rest of the West Plant units. Scotts proposes to continue its obligations (i.e., financial assurance, maintenance, and groundwater monitoring).</p>	<p>2) The O & M inspections and maintenance are already being conducted under a Corrective Actions West Plant O & M Plan.</p>
<p>3) Ground water is currently being monitored along with the other West Plant units through a facility wide integrated RCRA Post-Closure/RCRA Corrective Action monitoring program.</p>	<p>3) There is a low potential for contaminants in the Pond 1 landfill to migrate into groundwater; because the stabilization of the waste and construction of a low permeability cap greatly reduces the likelihood of a release to groundwater.</p>	<p>3) Formally transfer Pond 1 groundwater monitoring from RCRA closure to the RCRA corrective action program.</p>	<p>3) Scotts will amend its existing September 23, 2010 Environmental Covenant with Ohio EPA to include the area of pond 1 and prohibit use of the parcel for Residential, commercial or industrial Activities.</p>

Statement of Basis for Scotts Pond 1 Corrective Action
Page 3 of 3

Current Conditions at Pond 1	Environmental Conditions that May Continue to Exist at Pond 1	Scotts' Proposed Remedy	Ohio EPA Proposed Remedy to Address Conditions
4) Groundwater flow in the vicinity of Pond 1 is not isolated from the groundwater flow from other West Plant Area WMUs.	4) It is difficult or impossible to effectively monitor Pond 1 groundwater on its own, given its proximity to other WMUs.	4) Scotts will amend its existing September 23, 2010 Environmental Covenant with Ohio EPA to include the area of Pond 1 and prohibit use of the parcel for Residential, commercial or industrial Activities.	4) Continued O & M, groundwater monitoring and financial assurance under the Corrective Action program will be required through DFFO.
5) The gas venting system is inactive.	5) None	5) Scotts proposes to abandon the gas venting system.	5) Abandon the gas venting system and provide documentation to the Ohio EPA.
6) Pond 1 is a regulated unit, closed as a landfill, under the RCRA closure program	6) None	6) Scotts proposes to continue its obligations (i.e., financial assurance, maintenance, and groundwater monitoring) for Pond 1 under the RCRA Corrective Action Program.	6) Modify the Environmental Covenant and Corrective Action Order and include Pond 1 in the RCRA Corrective Action Program.