



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

JANUARY 24, 2019

Allen Bradburn  
Republic Services  
5092 Aber Road  
Williamsburg, Ohio 45176

**Re: BFI Willowcreek Landfill  
Director's Authorization  
Approval  
Municipal Solid Waste Landfills  
Portage County  
MSWL019376**

**Subject: BFI Willowcreek Landfill, Portage County  
Ohio Administrative Code (OAC) Rule 3745-27-10(F)(8) Determination**

Dear Mr. Bradburn:

Ohio EPA JAN 24 '19  
Entered Directors Journal

On August 23, 2018 and August 27, 2018, the Ohio Environmental Protection Agency (Ohio EPA), Northeast District Office (NEDO) received the Corrective Measures Plan (CMP) documents for the closed Willowcreek Landfill (Facility). The CMP was submitted by Environmental Resources Management on behalf of Republic Services, Inc.

Republic Services, Inc. has conducted a ground water quality assessment for 14 waste derived constituents above background in the uppermost aquifer system (UAS) at the Facility.

Ohio Administrative Code (OAC) Rule 3745-27-10 requires the owner/operator of a municipal solid waste landfill to submit a CMP upon determining, through assessment activities performed in accordance with OAC Rule 3745-27-10(E), that waste derived constituents have been detected in the ground water.

The CMP included information submitted as a demonstration pursuant to OAC Rule 3745-27-10(F)(8) which states, in part:

“(8) The director may determine that remediation of a release of waste-derived constituents from a sanitary landfill facility is not necessary if the owner or operator demonstrates one of the following:

(b) The constituents (are) present in ground water that:

(i) Is not currently or reasonably expected to be a source of drinking water.

- (ii) Is not hydraulically connected with waters to which the waste-derived constituents are migrating or are likely to migrate in concentrations that would exceed the ground water remediation standards established under paragraph (F)(7) of this rule."

The information submitted in the CMP satisfies the requirements of OAC Rule 3745-27-10(F)(8)(b)(i) because the constituents are present in ground water underlying the Facility that discharges to surface water before leaving the property and, as such, is not expected to be a source of drinking water.

The information submitted in the CMP also satisfies the requirements of OAC Rule 3745-27-10(F)(8)(b)(ii) by demonstrating that none of the surface water samples have contained waste derived constituents at concentrations above the OAC Rule 3745-27-10(F)(7) ground water remediation standards (GWRS) before the streams flow off site. Therefore, the ground water underlying the Facility is not hydraulically connected with waters to which the waste derived constituents released from the Facility are migrating or are likely to migrate in concentrations that would exceed the proposed GWRS.

Based on the information contained in the CMP, including the demonstration submitted pursuant to OAC Rule 3745-27-10(F)(8)(b), I have determined that remediation of the above-described release of waste derived constituents from the Facility is not necessary. Please note, however, that this determination does not affect my authority under OAC Rule 3745-27-10(F)(9) to require the owner or operator to undertake source control measures or other measures that may be necessary to eliminate or minimize further releases to ground water, to prevent exposure to ground water, or to remediate ground water to concentrations that are technically practicable and significantly reduce threats to human health and the environment, as site conditions warrant.

As proposed in the CMP, Republic Services, Inc. shall perform a series of institutional controls and continued operation and maintenance of existing source controls to address the impact to and prevent exposure to ground water. The institutional controls include fencing and locked gates, which limit access to the site. This reduces potential exposures to impacted ground water discharging to on-site streams, and limits damage to source controls (i.e. landfill cap) from unauthorized dirt bikes and ATVs being driven on-site. The existing source controls include the landfill cap, active landfill gas extraction system, and the active leachate collection system. These source controls have already been implemented and have been effective at limiting further migration as evidenced by the stable or reduced concentrations of the waste derived constituents in ground water. This proposal is reasonable and protective of human health and the environment.

In addition to the proposed source controls, Republic Services, Inc. shall sample and analyze ground water and surface water semiannually at the Facility as described in the CMP. After each sampling event, Republic Services, Inc. shall evaluate the resulting data to determine if additional source controls are required in accordance with the standards established in the CMP. The long-term monitoring of ground water and surface water

quality will determine if the release from the facility continues to remain stable or in decline and will serve as a measure to evaluate the effectiveness of the source controls.

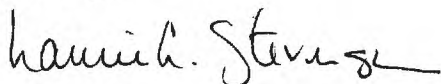
This letter shall not be construed to release the owner or operator from the obligation to comply with the requirements of any other ground water quality assessment monitoring program being conducted at the Facility.

You are hereby notified that this action of the Director or Environmental Protection (Director) is final and may be appealed to the Environmental Review Appeals 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, Ohio 43215

If you have any questions concerning this letter, please contact Mark Kroenke, Ohio EPA, NEDO at (330) 963-1225.

Sincerely,



Laurie A. Stevenson  
Director

CWB:MK

ec: Jarnal Singh, Ohio EPA, NEDO, DMWM  
Eric Adams, Ohio EPA, NEDO, DMWM  
Josh Adams, Ohio EPA, NEDO, DMWM  
Mark Kroenke, Ohio EPA, NEDO, DMWM  
Jeremy Carroll, Ohio EPA, CO, DMWM  
Jack Madved, Portage County Health District