



**Environmental
Protection Agency**

John R. Kasich, Governor

Mary Taylor, Lt. Governor

Scott J. Nalty, Director

February 28, 2012

Mr. Steve Lonneman, District Manager
Evergreen Recycling and Disposal Facility
2625 East Broadway
Northwood, Ohio 43619

Re: Evergreen Recycling and Disposal Facility, Wood County
Gas Management System Installation
Notice of Violation

Dear Mr. Lonneman:

On December 19, 2011, the Ohio Environmental Protection Agency (Ohio EPA) received a document titled, "2011 Landfill Gas Management System Installation Activities Documentation Report - Evergreen RDF, Inc." (report) from Hull & Associates, Inc. (Hull) on behalf of Evergreen RDF, Inc. (owner/operator).

Ohio EPA, Division of Materials and Waste Management (DMWM) has reviewed the report and has the following.

Comments:

1. Contained within the report is documentation of a replacement header and air / condensate lines where Phase 8 cap was previously placed. The report describes how the recompacted clay was repaired in 6 inch lifts using a vibratory sheepsfoot compactor.

The facility's test pad concurrence was dated May 11, 2001 for a Cat 825 compactor. The facility constructed another test pad at the same time using a Cat 653 vibratory compactor. Ohio EPA did not concur with Cat 653 test pad due to permeability and lift bonding issues.

Ohio EPA communicated on the phone to the owner/operator's consultant, Hull & Associates, Inc., on multiple occasions between September 19 and September 22, 2011 about using an alternate method of compacting beside the Cat 825. Hull & Associates, Inc. and the owner/operator were informed that using a vibratory compactor or the excavator bucket will not be acceptable without demonstrating that the proposed method will yield a satisfactory permeability. The owner/operator chose to construct using the vibratory compactor anyway.

The owner/operator is required to complete all construction in accordance with the approved permit. The owner/operator did not compact with the compactor that was used in test pad construction which is required by the QA/QC plan. Since the repaired Phase 8 cover has not been restored to the original state using the approved test pad construction technique (Cat 825 sheepsfoot compactor) as required, the owner/operator of Evergreen RDF is in **violation** of OAC Rule 3745-27-19(E)(1)(c) which states in part:

The owner or operator shall maintain the integrity of the engineered components of the sanitary landfill facility and repair any damage to or failure of the components. "Engineered components" include the components described in rule 3745-27-08 of the Administrative Code ... Failed or damaged engineered components shall be investigated and reconstructed in strict compliance with the existing applicable authorizing documents. If a redesign is necessary, prior approval of an alteration or a modification shall be obtained.

2. Since the tie-in detail (Detail 4 on Sheet 7C) of the permit was not followed regarding the stair-stepping when recompacted clay was reconstructed, the owner/operator of Evergreen RDF is in **violation** of OAC Rule 3745-27-19(B)(2) which states in part:

The owner or operator shall conduct all construction and operation at a sanitary landfill facility in strict compliance with the applicable authorizing document(s), including permit(s) to install, a plan approval, an operational report, an approved final closure plan, an alteration(s) concurred with in writing by Ohio EPA, or any authorizing document(s) listed in paragraph (l) of rule 3745-27-09 of the Administrative Code...

Evergreen RDF needs to immediately take the necessary measures to return to compliance with Ohio's environmental laws. Within 14 days of receipt of this letter, Evergreen RDF is requested to provide documentation to this office including the steps that will be taken to abate the violations cited above. Documentation of steps taken to return to compliance includes written correspondence, updated policies, and photographs, as appropriate, and may be submitted via the postal service or electronically to andy.drumm@epa.ohio.gov.

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Please be advised that violations cited above will continue until the violations have been properly abated. Failure to comply with Chapter 3734 of the Ohio Revised Code and rules promulgated thereunder may result in a civil penalty of up to \$10,000 per day for each violation. It is imperative that you return to compliance. If circumstances delay the abatement of violations, Evergreen RDF is requested to submit written correspondence of the steps that will be taken by date certain to attain compliance.

If you have any questions or would like to schedule a meeting, please contact me by telephone at (419) 373-3061 or by e-mail at andy.drumm@epa.ohio.gov.

Sincerely,



Andrew E. Drumm, R.S., E.I.
Division of Materials and Waste Management

//lr

pc: John Randolph, Evergreen RDF
Dennis Recker, City of Northwood
Kristin Tillison, Wood County HD
~~DMWM-SW File: Wood, Evergreen RDF, Engineering~~

ec: Brent Goetz, Ohio EPA, DMWM, NWDO
Andy Drumm, Ohio EPA, DMWM, NWDO
Habib Kaake, Ohio EPA, DMWM, NWDO
Mike Reiser, Ohio EPA, DMWM, NWDO

