



State of Ohio Environmental Protection Agency

**Northwest District Office**

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Ted Strickland, Governor  
Lee Fisher, Lieutenant Governor  
Chris Korleski, Director

March 16, 2007

Mr. Douglas E. Roberts, President  
Envirosafe Services of Ohio, Inc.  
876 Otter Creek Road  
Oregon, Ohio 43616-1200

RECEIVED  
OHIO EPA  
MAR 19 2007  
DIV. OF HAZARDOUS  
WASTE MGT.

**Re: Hazardous Waste Permit Modification  
Class 1A Approval & Classification  
Envirosafe Services of Ohio, Inc.  
U.S. EPA ID# OHD 045 243 706 / Ohio Permit #03-48-0092**

Dear Mr. Roberts:

On January 19, 2007, Ohio EPA received a request for a Class 1A (Class 1 requiring prior approval) hazardous waste permit modification (tracking number OHD045243706-070119-1A-1) from Envirosafe Services of Ohio, Inc. (ESOI), located at 876 Otter Creek Road, Oregon, Ohio. Ohio EPA has evaluated the permit modification classification using the criteria found in Paragraph (E)(2) of Ohio Administrative Code (OAC) Rule 3745-50-51 and in accordance with OAC Rule 3745-50-51(E)(1)(b) has determined that the permit modification meets the criteria of a Class 1 modification requiring prior approval of the director. In addition, with this letter, Ohio EPA approves the above referenced Class 1A modification submitted pursuant to OAC Rule 3745-50-51.

The following modification has been made to your December 29, 2005, Ohio Hazardous Waste Facility Installation and Operation Permit. Also, the records of Ohio EPA have been changed accordingly:

- Modification of Permit Conditions E.9(b)(i) through E.9(b)(i)(c) to add leachate collection and removal system performance objectives for WMUs 5, 6 and 7.

Enclosed is a copy of the revised permit terms and conditions. This has been included to ensure that all involved parties have written confirmation of the changes.\*

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March 16, 2007  
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If you have any questions concerning this action, please contact Lynn Ackerson at the Ohio EPA, Northwest District Office, (419)373-4113.

Sincerely,

  
Shannon M. Nabors  
District Chief

\*Also, in accordance with OAC Rule 3745-50-51(D)(1)(a)(ii), ESOI shall send a notice within 90 days of an approved Class 1A modification to all persons on the Agency mailing list. An updated mailing list can be obtained by contacting Pamela Allen at (614)644-2917 or by email at [pamela.allen@epa.state.oh.us](mailto:pamela.allen@epa.state.oh.us).

/cs

Enclosure

pc: Pamela Allen, Manager, RIS, DHWM, CO  
Jeremy Carroll, Supervisor, Engineering Unit, DHWM, CO (w/enc.)  
Gary Deutschman, DHWM, NWDO (w/enc.)  
Mayor Marge Brown, City of Oregon  
Oregon Document Depository – Permit Binder  
DHWM, NWDO File: Ohio Permit (w/enc.)  
DHWM, NWDO File: ESOI Terms & Conditions Permit Binder (enc. only)

ec: Lynn Ackerson, DHWM, NWDO  
Michael Terpinski, Supervisor, DHWM, NWDO  
John Pasquarette, Manager, DHWM, NWDO  
Gary Deutschman, DHWM, NWDO  
Mike Beal, DDAGW, NWDO  
Chris Maslo, DHWM, NWDO

reduce or eliminate further releases of hazardous waste(s) (including hazardous constituent[s]); and, (4) comply with all applicable standards for management of wastes.

If two or more of the Corrective Measures studied meet the threshold criteria set out above, Ohio EPA will authorize the Corrective Measures Implementation by considering remedy selection factors including: (1) long-term reliability and effectiveness; (2) the degree to which the Corrective Measure will reduce the toxicity, mobility or volume of contamination; (3) the Corrective Measure's short-term effectiveness; (4) the Corrective Measure's implementability; and (5) the relative cost associated with the alternative.

(a) Permit Modification

Ohio EPA will initiate a permit modification, as provided by OAC Rule 3745-50-51 to require implementation of the corrective measure(s) authorized.

The Permittee must not implement the corrective measure until the permit is modified pursuant to OAC Rule 3745-50-51.

(b) Selected Containment Corrective Measures

Based on results of the RFI Phase I and subsequent field work, Ohio EPA has determined that the appropriate remedy for WMUs 1, 5, 6 and 7 includes containment. Ohio EPA has determined that it is appropriate to require implementation of the containment remedy for these units while the Permittee completes Phase II RFI activities in accordance with Permit Condition E.5. U.S. EPA has established containment as the presumptive remedy for municipal landfills to protect human health and the environment and save time and costs.

(i) WMUs 5, 6, & 7 - Leachate Collection System Performance Objectives

The leachate collection and removal systems for WMUs 5, 6, and 7 must be installed and fully operating by July 1, 2007. The leachate collection and removal systems for WMUs 5, 6 and 7 shall be maintained and operated as detailed in the Operations, Maintenance & Performance Monitoring Plan for the Leachate Collection Systems at Waste Management Unit Nos. 5, 6, and 7. The Permittee must minimize impacts to ground water at each WMU; establish an inward hydraulic gradient at each WMU; and reduce head levels by removing

leachate to the lowest level which is practicably achievable at a frequency that will promote removal without compromising equipment functionality. These performance objectives will be implemented by the following:

- (a) The permittee will decrease the volume of the contaminant sources by reducing head levels within the WMUs. The permittee will demonstrate that this objective is achieved at each WMU by documenting that the head levels at established interior piezometers, as identified in Table 1.0 of the Operations, Maintenance, & Performance Monitoring Plan, have a decreasing trend. This objective must be achieved no later than July 1, 2009 and sustained until Permit Condition E.9(b)(i)(b) is established.
- (b) The permittee will demonstrate that an inward hydraulic gradient is established by documenting that the leachate level at a WMU's interior piezometers have an average head potential 1-foot lower than the measured liquid potential in established perimeter shallow till wells, as identified in Table 1.0 of the Operations, Maintenance, & Performance Monitoring Plan. This objective must be achieved not later than July 1, 2010 and sustained until Permit Condition E.9(b)(i)(c) is established.
- (c) WMU 6: No later than July 1, 2012, the permittee will ensure that the average of the leachate head level measurements from piezometers PZ-1, PZ-2, PZ-3, PZ-4, PZ-14, PZ-15, and any other locations established in the future with concurrence from Ohio EPA is below 553.0 ft. MSL.

WMU 7: No later than July 1, 2014, the permittee will ensure that the average of the leachate head level measurements from piezometers PZ-9, PZ-10, PZ-11, PZ-12, and any other locations established in the future with concurrence from Ohio EPA is below 569.0 ft. MSL.

WMU 5 Cental Area: No later than July 1, 2016, the permittee will ensure that the average of the leachate head level measurements from piezometers PZ-5, PZ-6, PZ-7, PZ-8, and any other locations established in the future with concurrence from Ohio EPA is below 541.5 ft. MSL.

WMU 5 West Area: No later than July 1, 2016, the permittee will ensure that the average of the leachate head level measurements from piezometer PZ-13, and any other locations established in the future with concurrence from Ohio EPA is below the target leachate column level established with concurrence from Ohio EPA no later than July 1, 2007 (Based on an available boring log near the proposed location of recovery well RW-4, the target leachate column level is expected to be approximately 574 ft. MSL.).

(ii) Cap Enhancements or Modifications for WMU 1

Cap enhancements and/or modifications must be made for WMU 1, to minimize infiltration of liquids and promote positive drainage of precipitation. The Permittee must prepare and submit preliminary design alternatives to Ohio EPA within 90 days of the effective date of this permit condition. Ohio EPA will review the alternatives and select a remedy design. The Permittee must, within 60 days of receiving notification from Ohio EPA of its selected remedy design, submit a Class 1 permit modification request requiring director's approval that includes final design plans for the enhanced or modified cap and an implementation schedule.

(iii) Landfill gas mitigation for WMUs 1, 5, 6 and 7

To address landfill gas generation in WMUs 1, 5, 6 and 7 the Permittee must prepare and submit to Ohio EPA a pre-design work plan within 90 days of the effective date of this permit condition. The pre-design work plan must ensure collection and evaluation of sufficient information to complete a final design of any necessary landfill gas mitigation system or systems. The pre-design work plan must include a tasks schedule. After Ohio EPA approval of the pre-design work plan, the Permittee must implement the pre-design work plan in accordance with the tasks schedule. Within 60 days of the completion of the tasks, the Permittee must submit a Class 1 permit modification request requiring director's approval that includes a final

design plan for the landfill gas mitigation system or systems and an implementation schedule.

(c) Corrective Measures Completion Report

Within forty-five (45) days of completion of corrective measures implementation for each corrective measure (CM) in permit conditions E.9.(d)(i) through (iii), the Permittee shall submit to Ohio EPA a CM Completion Report, Operation and Maintenance (O&M) Plan and, if necessary, a performance monitoring program for each CM.

- (1) If necessary, Ohio EPA shall provide written comments on the CM Completion Report and O&M Plan to the Permittee.
- (2) Within forth-five (45) days of receipt of Ohio EPA's comments, the Permittee shall submit either an amended or new CM Completion Report and O&M Plan.
- (3) Ohio EPA shall approve or modify and approve, in writing, the amended or new CM Completion Report and O&M Plan. The CM Completion Report and O&M Plan, as approved or as modified and approved, shall be incorporated into this permit and become an enforceable condition of this permit. Subsequent changes to the approved CM Completion Report and O&M Plan must be authorized by Ohio EPA.

(d) Permit Modification

In case of a newly discovered waste management unit that requires corrective measures or Ohio EPA determination that additional corrective measures are necessary, Ohio EPA will initiate a permit modification, as provided by OAC Rule 3745-50-51 to require implementation of the corrective measures authorized.

(e) Financial Assurance  
OAC Rule 3745-54-101

Within forty five (45) days after receiving approval of the CMI, the Permittee must provide financial assurance in the amount necessary to implement the corrective measure(s) as required by OAC Rule 3745-54-101 (B) and (C).

E.10 Newly Identified WMUs or Releases  
OAC Rule 3745-54-101

(a) General Information

The Permittee must submit to Ohio EPA, within 30 days of discovery, the following information regarding any new WMU identified at the Facility by Ohio EPA or the Permittee:

- (i) The location of the unit on the site topographic map;
- (ii) Designation of the type of unit;
- (iii) General dimensions and structural description (supply any available drawings);
- (iv) When the unit was operated; and
- (v) Specification of all waste(s) that have been managed at the unit.

(b) Release Information

The Permittee must submit to Ohio EPA, within 30 days of discovery, all available information pertaining to any release of hazardous waste(s) or hazardous constituent(s) from any new or existing WMU.

E.11 Corrective Action for Newly Identified WMUs and Releases  
OAC Rule 3745-54-101

If Ohio EPA determines that a RFI is required for newly identified WMUs, the Permittee must submit a written RCRA Facility Investigation Work Plan to Ohio EPA upon a time frame established in written notification by Ohio EPA in accordance with Permit Condition E.5. This determination will be made based on the information submitted in accordance with Permit Condition E.10.

Further investigations or corrective measures will be established by Ohio EPA.

The Permittee must make such a submittal in accordance with time frames established by Ohio EPA.

**E.12 Documents Requiring Professional Engineer Stamp**

ORC 4733.01

Preparation of the following Corrective Action documents constitutes the "practice of engineering" as defined by ORC 4733.01:

- Final Interim Measures Report
- Corrective Measures Final Design
- Corrective Measures Construction Completion Report
- Corrective Measures Attainment of Ground Water Performance Standards Report
- Corrective Measures Completion of Work Report

As such, the Permittee must ensure that these documents, as submitted to Ohio EPA, are stamped by a Professional Engineer licensed to practice in the State of Ohio.

**E.13 Schedule of Compliance**

The Permittee must provide Ohio EPA with the following items according to the schedule below:

Facility Submission	Due Date
Document revisions	60 days from date of receipt of deficiencies from Ohio EPA.
Newly identified WMU	30 days after discovery.
RFI Implementation	60 days after approval of the RFI Work Plan.
RFI Report(s)	60 days after completion of each phase of the RFI.
CMS Work Plan	60 days from the notification of the requirement to conduct the CMS.
CMS Implementation	60 days after Ohio EPA written approval.
Corrective Measures Report	30 days after completion of the CMS.
Progress Reports	Monthly, by the 12 <sup>th</sup> of each month. If the 12 <sup>th</sup> falls on a non-work day, the report will be submitted on the first work day after the 12th.