State of Ohio Environmental Protection Agency

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December 18, 2007

Mr. Clarke Lundell
Republic Services, Inc.
Suite 2700
110 S. E. 6th Street
Fort Lauderdale, FL 33301

**RE: MODIFICATION OF NOVEMBER 7, 2007 ORDERS**

Dear Mr. Lundell:

Pursuant to Director's Final Findings and Orders dated December 6, 2007, representatives of the Ohio Environmental Protection Agency (Ohio EPA) and Republic Services of Ohio II LLC (Republic Services) met in Columbus to discuss conditions at the facility and how the requirements of the November 7, 2007 Orders could be enhanced. The purpose of this letter is to communicate Ohio EPA's understanding of how the provisions of the November 7, 2007 Orders can be further modified to require enhanced work in light of conditions at the facility.

Ohio EPA anticipates superseding Order Nos. 2, 3, 4, and 5 of the November 7, 2007 Orders through a modification that includes the following:

a. Provisions for in-field adjustments to meet the objectives of the Orders;
b. Submittal of a Work Plan for the installation of four relief wells;
c. Submittal of a Work Plan for the continued dewatering and enhancement of the explosive gas extraction system (EGES);
d. Definitions of terms and activities specific to these Orders; and
e. Continuation of the sampling program described in Order No. 2 of the November 7, 2007 Orders with potential adjustments to the number of wells and sampling parameters.

The submittals required by this modification will be reviewed in accordance with Section VI: Review of Submittals specified in the March 28, 2007 Orders.

The objective of the November 7, 2007 Orders is two-fold: 1) to dewater the existing explosive gas extraction wells (EGEWs) to increase the efficiency of the EGES and 2) to reduce the amount of liquid in the landfill that may be perpetuating the aluminum dross reaction.

To accomplish this objective, Ohio EPA will require Republic Services to submit a Work Plan for the installation of four relief wells though most of the waste column that are primarily designed to remove large quantities of liquid that may be perpetuating the aluminum dross reaction. As secondary benefits, the relief wells are intended to relieve high pressures, remove gases and heat through most of the full waste column, and increase the selection of pumps available for liquid removal.

At a minimum, the Work Plan for the relief wells shall include, but not be limited to evaluation of appropriate drilling methods, well casing material, slot size in the well casing, length of slots, depth of the wells, well diameter, liquid removal pumps, well pack, location of the four wells, total number of wells required for dewatering, installation of thermistors on the well casing, management of investigation derived waste, schedule for installation of the relief wells, and health and safety provisions for the work.

In addition, Ohio EPA will require Republic Services to submit a Work Plan for the dewatering and enhancement of the EGES. The main objective of this work is to dewater existing EGEWs within the priority area of the 88 acres. The EGEWs intended to be temporarily excluded from this Modification are listed in Table 1 attached to this letter. The secondary benefits of this work are to reduce odors, enhance the efficiency of the EGES, and establish a baseline gas flow rate for the EGES.

At a minimum, the Work Plan for the dewatering and enhancement of the EGES shall include dewatering pump installation, identification of priority EGEWs, achievable drawdown in the EGEWs, infrastructure construction for support of the EGES, relocation of the EGES flares, EGES improvement, establishment of a baseline gas flow, management of investigation derived waste, schedule for installation of the work, and health and safety provisions for the work.

The modification will include specific provisions for the following milestone activities performed after November 7, 2007:

(1) Installation of 37 additional dewatering pumps in EGEWs,
(2) Construction of EGEWs infrastructure associated with the 37 additional dewatering pumps,
(3) Installation of 2 of the 4 relief wells, and
(4) Installation and testing new air compressors.

Ohio EPA is interested in Republic Services' position as to when each of these milestones can be completed. Please provide this information with your response to this letter by December 21, 2007.

Ohio EPA intends to include definitions as part of the modifications to the November 7, 2007 Orders. Attached to this letter are proposed definitions for the activities contemplated under the modification to these Orders.

Please be advised that Republic Services is required to update the financial assurance requirements for the Countywide Recycling and Disposal Facility as specified in Order #12 of the March 28, 2007 Orders.

As required by the December 6, 2007 Orders, Republic has three business days after the date of this letter to provide Ohio EPA with any comments regarding the potential modifications identified herein. Please contact me or Pam Allen with any questions you have, or assistance you require at 614-644-2621.

Sincerely,

Ed Gortner, DSIWM Enforcement Coordinator
Ohio EPA

EG/clk

cc: DSIWM Civil Enforcement Files, CO
Jeff Martin, DSIWM-CO
Pam Allen, DSIWM-CO
Jeff Hurdley, Legal
Kurt Princic, DSIWM-NEDO
Kirk Norris, Stark County Health District
Tim Vandersall, Countywide RDF
Todd Hamilton, Countywide RDF

ec: Michael Beaudoin
Pete Augustin

Attachments

Table 1. EGEWs temporarily excluded from the Scope of the November 7, 2007 Orders through this Modification

| Item No. | EGEWs North of 25,000 (Alias Well ID) |
|---|---|
| 1 | PW 301 |
| 2 | PW 302 |
| 3 | PW 303 |
| 4 | PW 304 |
| 5 | PW 305 |
| 6 | PW 306 |
| 7 | PW 308 |
| 8 | PW 309 |
| 9 | PW 310 |
| 10 | PW 311 |
| 11 | PW 312 |
| 12 | PW 313 |
| 13 | PW 314 |
| 14 | PW 325 |
| 15 | PW 326 |
| 16 | PW 330 |
| 17 | PW 331 |
| 18 | PW 325 |
| 19 | PW 328 |

| Item No. | EGEWs With Stingers (Alias Well ID) |
|---|---|
| 1 | P 1 |
| 2 | Y 1 |
| 3 | Z 1 |
| 4 | H 1 |
| 5 | I 1 |
| 6 | J1-M |
| 7 | U 1 |
| 8 | Q 1 |
| 9 | W 56 RM |

| Item No. | EGEWs East of Haul Road (Alias Well ID) |
|---|---|
| 1 | W 2 (Abandoned) |
| 2 | W 2R(M) |
| 3 | W 3 |
| 4 | W 32 |
| 5 | W 58 |
| 6 | W 58R |
| 7 | PW 168 (M) |
| 8 | PW 12R |
| 9 | W 12 (Abandoned) |
| 10 | W 13 (Abandoned) |
| 11 | W 4 |
| 12 | W 5 |
| 13 | W 6 |
| 14 | W 7 |
| 15 | W 8 |
| 16 | W 9 |
| 17 | PW 110 |
| 18 | W 10 |
| 19 | W 33 |
| 20 | W 35 |
| 21 | W 36 |
| 22 | W 37 |
| 23 | W 68 |
| 24 | PW 109 |
| 25 | W 38 |
| 26 | W 34 |
| 27 | PW 112 |
| 28 | W 60 |
| 29 | PW 111 |
| 30 | W 11 |
| 31 | W 39 |
| 32 | W 69 |
| 33 | PW 169 |
| 34 | W 59 |

| Item No. | Remote EGEWs (Alias Well ID) |
|---|---|
| 1 | N 1 |
| 2 | T 1 |
| 3 | PW 133 |
| 4 | PW 134 |
| 5 | PW 135 |
| 6 | PW 136 |
| 7 | PW 137 |
| 8 | PW 138 |
| 9 | PW 143 |
| 10 | W 10 (E. Of Haul Rd) |
| 11 | B 1 |
| 12 | PW 301 (N. of 25,000) |
| 13 | W 6 (E. of Haul Road) |

**Definitions**

Accessible Gas Extraction Well: (AGEW) Shall mean those vertical EGEWs that are not impeded by physical conditions that prohibit prescribed dewatering activities to be performed or achieved.

Gas Extraction Well Achievable Drawdown: Shall mean dewatering activity designed to maximize the exposure of well perforations and achieve the lowest practical liquid level within an AGEW. At a minimum the dewatering activity shall follow the following process or a variation thereof:

- Dewater to 5 feet above sounded bottom of the AGEW;
- If not dewatered to 5', pump one working shift for every 10' of standing liquid;
- If not dewatered to 5', pump for 24 hours of sustained run time; and
- Perform water level sounding, record liquid level within the AGEW.

Baseline Gas Flow: Shall mean a one time event after all proposed enhancements to the EGES have been implemented during which maximum optimized gas flow is measured from a gas extraction well that has met the achievable drawdown standard while maintaining compliance with Order No. 4(B) of the March 28, 2007 Orders. At a minimum the baseline flow measurement will follow the following process or a variation thereof:

- Verify Gas Extraction Well Achievable Drawdown for all AGEW;
- Vertical Temperature Analysis as used in Order 4(A)(7) of the March 28, 2007 Orders for all AGEW under this Order;
- Balance/tune the EGES; and
- Measure gas flow per AGEW.

Monthly: Shall mean a frequency of once per calendar month that includes all days contained therein.

Vertical Relief Well: Shall mean a 12" to 18" diameter vertical well casing designed for pressure, gas and liquid reduction and/or extraction purposes installed to a total depth of 15 feet above the liner.

Sustained Run Time: Shall mean dewatering pump operation not less that 80% of any prescribed time period.