Seneca County General Health District
Anne Goon, MS, RD, LD, Health Commissioner
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www.senecahealthdept.org

January 20, 2023

Brian Ezyk
Sunny Farms Landfill LLC
12500 W Co Rd 18
Fostoria, Ohio 44830
Subject: Sunny Farms Landfill, Seneca County
Letter of Compliance

Dear Mr. Ezyk:
Thank you for having Dave Follett and Bryan Gill accompany me during the Seneca County General Health District's January 19, 2023 inspection of Sunny Farms Landfill in Seneca County Ohio. This was a focused inspection. The goal of my inspection was to determine compliance with Ohio's laws as found in Chapter 3734 of the Ohio Revised Code (ORC) and Chapter 3745-27 of the Ohio Administrative Code (OAC), the terms and conditions of the facility's permit-to-install and the Seneca County Court Consent Order 19-CV-0224, issued July 26, 2019. The inspection included a review of company operations and written documentation associated with facility operations.

No violations were discovered during this inspection.

Please be advised that this letter of compliance is only associated with those areas of the operations that were inspected or documentation reviewed and does not constitute a waiver of potential violations not discovered.

Should you have any questions, please contact me at 419-447-3691 ext. 6323 or anainiger@senecahealthdept.org

Sincerely,

Austin Nainiger

Austin Nainiger
Seneca County General Health District
Enclosure: Inspection Checklist

ec: Tyler Madeker, Ohio EPA, DMWM-NWD
Brian Ezyk, Sunny Farms Landfill

SENECA COUNTY GENERAL HEALTH DISTRICT

Municipal Solid Waste Landfill Inspection Checklist

Facility/Location Name: Sunny Farms Landfill LLC

☐ **Comprehensive Inspection** **Date of Last Inspection:** 1-11-2023

☒ **Focused Inspection** **Specify Item Number(s)**

Address: 12500 W. County Road 18 Fostoria, Ohio 44830

Date: 1-19-2023 **Time:** 9:00 AM **Weather:** 48°F 18mph SSW

Inspection Representatives

Facility: Bryan Gill Dave Follett **Health District:** Austin Nainiger

Ohio EPA: Not Present

Others Present: N/A

For each item below, mark "Y" if Yes, "N" if No, "DNI" if Did Not Inspect this item, "NA" if Not Applicable

Administrative

Item	Y	N	DNI	NA	* indicates this item should be reviewed prior to the field inspection	Rule Reference
1*	☐	☐	☐	☒	Are license terms/conditions being followed?	3745-27-19(B)(1)
2*	☒	☐	☐	☐	Are Permit-to-Install (PTI) terms/conditions, listed on page 3, being followed?	3745-27-19(B)(2)
3*	☒	☐	☐	☐	Are the Seneca County Court Orders, listed on page 3, being followed?	3745-27-19(B)(2)
4*	☐	☐	☒	☐	Have all alterations listed on page 3 been added to the appropriate document?	3745-27-19(B)(2)
5	☐	☐	☒	☐	Is the daily log of operations form complete?	3745-27-19(E)(10)(a)
6	☒	☐	☐	☐	Is the daily log of operations form available for the previous three years?	3745-27-19(E)(10)(d)
7	☒	☐	☐	☐	Is the o/o inspecting for ponding, erosion, and leachate outbreaks daily on Form 3?	3745-27-19(E)(11)(a)
8	☒	☐	☐	☐	Is the o/o inspecting the sed ponds and surface water structures weekly on Form 4?	3745-27-19(E)(11)(b)
9	☒	☐	☐	☐	Is the odor complaint log available and up-to-date?	Court Order 16L
10	☒	☐	☐	☐	Is the video recording of railcar unloading being maintained for 90 days?	Court Order 16W

Access

Item	Y	N	DNI	NA		Rule Reference
10	☒	☐	☐	☐	Is only naturally occurring vegetation being cleared for proper operation?	3745-27-19(E)(1)(a)
11	☒	☐	☐	☐	Are the roads being maintained to allow the passage of a loaded refuse vehicle?	3745-27-19(E)(2)(a)
12	☒	☐	☐	☐	Is mud, debris, and dirt being removed from Twp. Road 108 at least once per day?	Court Order 16Q
13	☒	☐	☐	☐	Are measures in place to limit access (ie; gate, padlock, berm, ditch)?	3745-27-19(E)(2)(b)
14	☒	☐	☐	☐	Are yard waste restriction signs posted at each public entrance?	3745-27-19(E)(2)(c)
15	☒	☐	☐	☐	Are farm/domestic animals excluded from the operating areas?	3745-27-19(E)(2)(d)

Equipment

Item	Y	N	DNI	NA		Rule Reference
16	☐	☐	☒	☐	Is adequate equipment, material and services, marked on page 3, available to control fire?	3745-27-19(E)(3)(a)
17	☒	☐	☐	☐	Is equipment of adequate size and quantity, marked on page 3, available at all times?	3745-27-19(E)(3)(b)

Waste Acceptance

Item	Y	N	DNI	NA		Rule Reference
18	☒	☐	☐	☐	Are preparations in place to receive waste during inclement weather?	3745-27-19(E)(6)
19	☒	☐	☐	☐	Is the unloading of waste material confined to the smallest practical area(s)?	3745-27-19(E)(7)(c)
20	☒	☐	☐	☐	Is all waste being deposited at the working face?	3745-27-19(E)(7)(e)
21	☐	☐	☒	☐	Is all waste being compacted?	3745-27-19(E)(7)(e)
22	☐	☐	☒	☐	Is waste being spread in layers of not more than two feet?	3745-27-19(E)(7)(e)
23	☐	☐	☒	☐	Are strategies in place to manage bulky materials enabling daily cover to be placed?	3745-27-19(E)(7)(f)(i)
24	☒	☐	☐	☐	Are strategies in place to manage dusty materials?	3745-27-19(E)(7)(f)(ii)
25	☐	☐	☒	☐	Are the disposal restrictions, listed on page 3, being followed?	3745-27-19(E)(8)
26	☒	☐	☐	☐	Are the working faces limited to 3.5 acres?	Court Order 16B
27	☐	☐	☒	☐	Are drilling operation materials being handled/documented appropriately?	ORC 3734.02(Q)

Operations

Item	Y	N	DNI	NA		Rule Reference
28	☒	☐	☐	☐	Are noise, dust, and/or odors being controlled?	3745-27-19(B)(3)
29	☒	☐	☐	☐	Are adequate vector controls/control strategies available at the facility?	3745-27-19(B)(4)
30	☒	☐	☐	☐	Are the access roads being maintained to minimize dust and erosion?	3745-27-19(E)(2)(a)
31	☐	☒	☐	☐	Is a water truck being used or available to minimize dust generation on access roads?	3745-27-19(E)(2)(a)

Item	Y	N	DNI	NA	* indicates this item should be reviewed prior to the field inspection	Rule Reference
Operations continued						
32	X				Is an operator, as defined in 3745-27-01, familiar with operations/documents?	3745-27-19(E)(5)
33*	X				Is the correct phase, listed on page 3, being filled?	3745-27-19(E)(7)(b)
34	X				Is the working face supervised by a person knowledgeable of its operations?	3745-27-19(E)(7)(c)
Litter						
35			X		Are measures in place to collect, contain and dispose of litter?	3745-27-19(E)(9)
36			X		Are litter pickers, listed on page 3, on-site?	3745-27-19(E)(9)
37	X				Is litter fencing in place?	3745-27-19(E)(9)
Cover						
38			X		Is only soil being used as daily cover?	Court Order C
39			X		Is a minimum of six inches of soil daily cover applied and maintained?	3745-27-19(F)(1)
40				X	Is one of the approved alternative daily cover (ADC) listed on page 3 being used?	3745-27-19(F)(3)
41				X	Is the ADC being used in accordance with the Director's approval letter?	3745-27-19(F)(3)
42			X		Is intermediate cover being protected from erosion (ie, silt fencing, vegetation)?	3745-27-19(G)(4)
43	X				If transitional cover is in place, is it densely vegetated? (3745-27-08(D)(19)(b))	3745-27-19(H)(2)(a)
44	X				If final cap is in place, is it densely vegetated? (3745-27-08(D)(26)(e)(ii))	3745-27-19(H)(2)(b)
45			X		Is a 24-inch thick layer of well-compacted soil being used for intermediate cover?	Court Order 16D
46			X		Is a 36-inch thick layer of well-compacted soil being maintained on Area 2?	3745-27-19(G)(4)
Surface Water Management						
47	X				Are stormwater features constructed/maintained for stormwater conveyance?	3745-27-19(J)(1)
48	X				Are strategies in place to correct the conditions causing ponding or erosion?	3745-27-19(J)(3)
Leachate Management						
49	X				Are leachate sump/tank readings, listed on page 3, within the compliance limits?	3745-27-19(E)(1)(c)
50				X	Are leachate outbreaks documented on log of operations?	3745-27-19(E)(11)(a)
51		X			Are leachate outbreaks present?	3745-27-19(K)(1)(a)(c)
52				X	If leachate outbreaks are present, are the outbreaks being properly managed?	3745-27-19(K)(1)(a)(c)
53			X		Is at least one back-up lift station pump available at the facility?	3745-27-19(K)(2)
54			X		Is the hydrogen peroxide leachate treatment system operating?	3745-27-19(K)(5)
55	X				Is leachate being treated/disposed on-site/off-site appropriately?	3745-27-19(K)(5)
Ancillary Structures / Engineered Components						
56	X				Are observed engineered components functioning appropriately?	3745-27-19(E)(1)(c)
57	X				Are observed ground water wells (3745-27-10) being maintained?	3745-27-19(E)(1)(c)
58			X		Are observed explosive gas monitoring wells (3745-27-12) being maintained?	3745-27-19(E)(1)(c)
59			X		Are observed gas extraction wells / gas vents being maintained?	3745-27-19(E)(1)(c)
60			X		Is the hydrogen sulfide control system operating?	3745-27-19(E)(1)(c)
61	X				Are the observed permanent Jerome meters/locations being maintained?	Court Order 16A
62	X				Is the primary flare operating	3745-27-19(E)(1)(c)
63			X		Is the back-up generator being maintained to ensure continous operation of the flares?	Court Order 16N
Railcars / Rail Unloading Building						
64			X		Is the rail unloading building's leachate tank high level alarm functioning?	3745-27-19(E)(1)(c)
65	X				Is the rail unloading building's floor grates clear to allow the collection of leachate?	3745-27-19(E)(1)(c)
66	X				Are measures in place to collect, contain and dispose of litter around the rail building?	3745-27-19(E)(9)
67	X				Is litter fencing present between the rail unloading building and sedimentation pond?	Court Order 16S
Scales						
68			X		Is the front entrance scale operational? List certification on Page 4.	3745-27-19(I)
69			X		Is the railcar scale operational? List certification on Page 4.	Court Order 16U

Additional Documentation

Item	Y	N		
70	☐	☒	Was photo documentation gathered?	☐ Photos attached
71	☐	☒	Were hydrogen sulfide levels documented using a Jerome meter?	☐ Results attached

Item	Information		
1	License terms/conditions:	☐ 2022 license conditions are being followed	
2	Permit-to-Install (PTI) terms and conditions applicable to the inspection:	Condition #25	☒ AMDWR is 7500 tons/day
		Condition #26	☒ AMDWR report due by the 15th of following month
		Condition #26	☒ Leachate report due by the 15th of following month
3	Seneca County Court Consent Order	Applicable orders from the July 26, 2019, Seneca County Court Consent Order (19-CV-0224) are incorporated into the checklist.	
4	List all alterations issued since the last inspection: ☐ No alterations issued	Alteration # _____	Type: _____
		Alteration # _____	Type: _____
		Alteration # _____	Type: _____
		Alteration # _____	Type: _____
		Alteration #	Type:
16	Mark boxes to indicate what types of fire control equipment is available on-site:	☐ Bulldozer	☐ Soil Stockpile
		☐ Compactor	☐ 911 Service Available
		☐ Fire Extinguisher(s)	☐ Water Truck
17	☒ Equipment available - mark boxes/quantity	☒ Bulldozers # 2	☒ Compactor # 2
	☐ Contingency plan available if no back-up	☒ Scrapers # 1	☒ Trucks # 9
	☐ Contingency plan reviewed	☒ Other (2) Excavators	
25	Disposal restrictions, 3745-27-19(E)(8), include NESHAP regulated asbestos unless authorized, liquids unless authorized, hazardous waste, PCBs, infectious waste, source separated yard waste, whole or shredded scrap tires, low-level radioactive waste, and semi-solid materials with free liquids		
33	Current permitted phase designation 12		
36	Litter Pickers	Affiliation:	Number:
40	Alternative daily covers (ADC) approved for use and the approval date. Mark box(es) of the ADC being utilized. **In accordance with the consent order, only soil is currently approved for daily cover.**	☐ Topcoat spray-on-slurry	7/10/2001
		☐ VWPFR-12 Tarp	7/10/2001
		☐ WP-1440SB Tarp	7/10/2001
		☐ WP1440FR Tarp	7/10/2001
		☐ WP2200SB Tarp	7/10/2001
		☐ WP2600 Tarp	7/10/2001
		☐ Integra 12FR Tarp	7/10/2001
		☐ Proguard 11B Plus spray-on-slurry	10/3/2006

Item							
49	Leachate sump readings - compliance level vs actual reading	Closed North Sump #1	Compliance 18 inches	Reading _____	Auto On ☐		
		Closed North Sump #2	Compliance 18 inches	Reading _____	Auto On ☐		
		Closed North Sump #3	Compliance 18 inches	Reading _____	Auto On ☐		
		Closed North Sump #4	Compliance 18 inches	Reading _____	Auto On ☐		
		Closed North Sump #5	Compliance 18 inches	Reading _____	Auto On ☐		
		Closed North Sump #6	Compliance 18 inches	Reading _____	Auto On ☐		
		Closed North Sump #7	Compliance 18 inches	Reading _____	Auto On ☐		
		Closed North Sump #8	Compliance 18 inches	Reading _____	Auto On ☐		
		Closed North Sump #9	Compliance 18 inches	Reading _____	Auto On ☐		
		Closed North Sump #10	Compliance 18 inches	Reading _____	Auto On ☐		
		Closed North Sump #11	Compliance 18 inches	Reading _____	Auto On ☐		

49	Leachate sump readings - compliance level vs actual reading	South Sump #8-A	Compliance 36 inches	Reading		Auto On	☐
		South Sump #8-B	Compliance 36 inches	Reading		Auto On	☐
		South Sump #9	Compliance 36 inches	Reading		Auto On	☐
		South Sump #10	Compliance 36 inches	Reading		Auto On	☐
		South Sump #11	Compliance 36 inches	Reading		Auto On	☐
		South Sump #12	Compliance 36 inches	Reading		Auto On	☐

49	Leachate storage tanks inspection. Tank readings, capacity and high level shutoff are recorded in feet	Tank #1 (East)	Secondary Containment	☐	Visual Insp (leaks, rust)	☐	
		Tank Reading DNI	Height 16.12		High Level Shutoff 13		
		Tank #2 (West)	Secondary Containment	☒	Visual Insp (leaks, rust)	☒	
		Tank Reading 8.75	Height 24.18		High Level Shutoff 20		
		Tank #3 (South)	Secondary Containment	☒	Visual Insp (leaks, rust)	☒	
		Tank Reading 11.42	Height 28.06		High Level Shutoff 26.5		

60	Hydrogen sulfide control system	# of control boxes on-site DNI	# of control boxes in use DNI

62	Flare operations	Flare 1	Temperature DNI	Flow DNI	Pressure DNI	
		Flare 3	Temperature DNI	Flow DNI	Pressure DNI	

68	Front entrance scale	Expiration Date: —	Agency: —
69	Rail scale	Expiration Date: —	Agency: —

#	Item/Information Section
11	Roads being maintained, grader in operation, roads are manageable after rain event.
12	Broom on road sweeping / clearing mud
28	Misting System in operation
31	Roads are wet from rain no need for water truck
47	All Storm Water ditches have flow
55	Leachate treated at Marion WWTP

#	General Comments Section
	- Leachate collection Sample port located within Tank 3 Secondary Containment
	- Rail cars in rail spur appear covered with orange netting

Select Waste

Item	Y	N	DNI	NA		Rule Reference
72	☐	☒	☐	☐	Is the select waste layer (SWL) being placed? If Yes, complete items #73-82	3745-27-19(D)
73	☐	☐	☐	☒	Is the SWL being spread and not compacted?	3745-27-19(D)(1)(a)
74	☐	☐	☐	☒	Does the SWL contain items under two feet in length?	3745-27-19(D)(1)(b)
75	☐	☐	☐	☒	Does the SWL allow the flow of liquids to the leachate collection system?	3745-27-19(D)(1)(c)
76	☐	☐	☐	☒	Is the SWL free of fines and small particles?	3745-27-19(D)(1)(d)
77	☐	☐	☐	☒	Is the SWL being placed as a single lift of a minimum of five feet?	3745-27-19(D)(1)(e)
78	☐	☐	☐	☒	Was the SWL documentation submitted to the operating record?	3745-27-19(D)(2)
79	☐	☐	☐	☒	Was the date of the SWL documented?	3745-27-19(D)(2)(a)
80	☐	☐	☐	☒	Was the location of the cell/phase of the SWL documented?	3745-27-19(D)(2)(b)
81	☐	☐	☐	☒	Was the thickness of the SWL documented?	3745-27-19(D)(2)(c)
82	☐	☐	☐	☒	Was the source and composition of the SWL documented?	3745-27-19(D)(2)(d)

Austin Nainiger	Austin Nainiger	1-19-2023
Print Name of Inspector Completing Inspection Form	**Signature**	**Date**

Last Revised: January 22, 2020