**Seneca County General Health District**
**Anne Goon, MS, RD, LD, Health Commissioner**
92 E. Perry St., Tiffin OH 44883
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**February 8, 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 Matt East accompany me during the Seneca County General Health District's February 1, 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 see notes section for additional comments.

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:** 1-24-2023

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

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

**Date:** 2-1-2023 **Time:** 2:00PM **Weather:** 21°F 9mph W

**Inspection Representatives**

**Facility:** Matt East **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) |

**Operations continued**

| Item | Y | N | DNI | NA | * indicates this item should be reviewed prior to the field inspection | Rule Reference |
|---|---|---|---|---|---|---|
| 32 | ☐ | ☐ | ☒ | ☐ | Is an operator, as defined in 3745-27-01, familiar with operations/documents? | 3745-27-19(E)(5) |
| 33* | ☐ | ☐ | ☒ | ☐ | Is the correct phase, listed on page 3, being filled? | 3745-27-19(E)(7)(b) |
| 34 | ☐ | ☐ | ☒ | ☐ | Is the working face supervised by a person knowledgeable of its operations? | 3745-27-19(E)(7)(c) |

**Litter**

| Item | Y | N | DNI | NA | | Rule Reference |
|---|---|---|---|---|---|---|
| 35 | ☐ | ☐ | ☒ | ☐ | Are measures in place to collect, contain and dispose of litter? | 3745-27-19(E)(9) |
| 36 | ☐ | ☐ | ☒ | ☐ | Are litter pickers, listed on page 3, on-site? | 3745-27-19(E)(9) |
| 37 | ☐ | ☐ | ☒ | ☐ | Is litter fencing in place? | 3745-27-19(E)(9) |

**Cover**

| Item | Y | N | DNI | NA | | Rule Reference |
|---|---|---|---|---|---|---|
| 38 | ☐ | ☐ | ☒ | ☐ | Is only soil being used as daily cover? | Court Order C |
| 39 | ☐ | ☐ | ☒ | ☐ | Is a minimum of six inches of soil daily cover applied and maintained? | 3745-27-19(F)(1) |
| 40 | ☐ | ☐ | ☒ | ☐ | Is one of the approved alternative daily cover (ADC) listed on page 3 being used? | 3745-27-19(F)(3) |
| 41 | ☐ | ☐ | ☒ | ☐ | Is the ADC being used in accordance with the Director's approval letter? | 3745-27-19(F)(3) |
| 42 | ☒ | ☐ | ☐ | ☐ | Is intermediate cover being protected from erosion (ie, silt fencing, vegetation)? | 3745-27-19(G)(4) |
| 43 | ☒ | ☐ | ☐ | ☐ | If transitional cover is in place, is it densely vegetated? (3745-27-08(D)(19)(b)) | 3745-27-19(H)(2)(a) |
| 44 | ☐ | ☐ | ☒ | ☐ | If final cap is in place, is it densely vegetated? (3745-27-08(D)(26)(e)(ii)) | 3745-27-19(H)(2)(b) |
| 45 | ☐ | ☐ | ☒ | ☐ | Is a 24-inch thick layer of well-compacted soil being used for intermediate cover? | Court Order 16D |
| 46 | ☐ | ☐ | ☒ | ☐ | Is a 36-inch thick layer of well-compacted soil being maintained on Area 2? | 3745-27-19(G)(4) |

**Surface Water Management**

| Item | Y | N | DNI | NA | | Rule Reference |
|---|---|---|---|---|---|---|
| 47 | ☒ | ☐ | ☐ | ☐ | Are stormwater features constructed/maintained for stormwater conveyance? | 3745-27-19(J)(1) |
| 48 | ☒ | ☐ | ☐ | ☐ | Are strategies in place to correct the conditions causing ponding or erosion? | 3745-27-19(J)(3) |

**Leachate Management**

| Item | Y | N | DNI | NA | | Rule Reference |
|---|---|---|---|---|---|---|
| 49 | ☒ | ☐ | ☐ | ☐ | Are leachate sump/tank readings, listed on page 3, within the compliance limits? | 3745-27-19(E)(1)(c) |
| 50 | ☐ | ☐ | ☐ | ☒ | Are leachate outbreaks documented on log of operations? | 3745-27-19(E)(11)(a) |
| 51 | ☐ | ☒ | ☐ | ☐ | Are leachate outbreaks present? | 3745-27-19(K)(1)(a)(c) |
| 52 | ☐ | ☐ | ☐ | ☒ | If leachate outbreaks are present, are the outbreaks being properly managed? | 3745-27-19(K)(1)(a)(c) |
| 53 | ☐ | ☐ | ☒ | ☐ | Is at least one back-up lift station pump available at the facility? | 3745-27-19(K)(2) |
| 54 | ☐ | ☐ | ☒ | ☐ | Is the hydrogen peroxide leachate treatment system operating? | 3745-27-19(K)(5) |
| 55 | ☐ | ☐ | ☒ | ☐ | Is leachate being treated/disposed on-site/off-site appropriately? | 3745-27-19(K)(5) |

**Ancillary Structures / Engineered Components**

| Item | Y | N | DNI | NA | | Rule Reference |
|---|---|---|---|---|---|---|
| 56 | ☐ | ☐ | ☒ | ☐ | Are observed engineered components functioning appropriately? | 3745-27-19(E)(1)(c) |
| 57 | ☒ | ☐ | ☐ | ☐ | Are observed ground water wells (3745-27-10) being maintained? | 3745-27-19(E)(1)(c) |
| 58 | ☒ | ☐ | ☐ | ☐ | Are observed explosive gas monitoring wells (3745-27-12) being maintained? | 3745-27-19(E)(1)(c) |
| 59 | ☐ | ☐ | ☒ | ☐ | Are observed gas extraction wells / gas vents being maintained? | 3745-27-19(E)(1)(c) |
| 60 | ☐ | ☐ | ☒ | ☐ | Is the hydrogen sulfide control system operating? | 3745-27-19(E)(1)(c) |
| 61 | ☐ | ☐ | ☒ | ☐ | Are the observed permanent Jerome meters/locations being maintained? | Court Order 16A |
| 62 | ☐ | ☐ | ☒ | ☐ | Is the primary flare operating | 3745-27-19(E)(1)(c) |
| 63 | ☐ | ☐ | ☒ | ☐ | Is the back-up generator being maintained to ensure continous operation of the flares? | Court Order 16N |

**Railcars / Rail Unloading Building**

| Item | Y | N | DNI | NA | | Rule Reference |
|---|---|---|---|---|---|---|
| 64 | ☐ | ☐ | ☒ | ☐ | Is the rail unloading building's leachate tank high level alarm functioning? | 3745-27-19(E)(1)(c) |
| 65 | ☒ | ☐ | ☐ | ☐ | Is the rail unloading building's floor grates clear to allow the collection of leachate? | 3745-27-19(E)(1)(c) |
| 66 | ☒ | ☐ | ☐ | ☐ | Are measures in place to collect, contain and dispose of litter around the rail building? | 3745-27-19(E)(9) |
| 67 | ☒ | ☐ | ☐ | ☐ | Is litter fencing present between the rail unloading building and sedimentation pond? | Court Order 16S |

**Scales**

| Item | Y | N | DNI | NA | | Rule Reference |
|---|---|---|---|---|---|---|
| 68 | ☐ | ☐ | ☒ | ☐ | Is the front entrance scale operational? List certification on Page 4. | 3745-27-19(I) |
| 69 | ☐ | ☐ | ☒ | ☐ | Is the railcar scale operational? List certification on Page 4. | Court Order 16U |

**Additional Documentation**

| Item | Y | N | | |
|---|---|---|---|---|
| 70 | X | ☐ | Was photo documentation gathered? | ☐ Photos attached |
| 71 | ☐ | X | 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: | Alteration # _____ | Type: _____ |
| | | Alteration # _____ | Type: _____ |
| | ☐ No alterations issued | 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 # | ☐ Compactor # |
| | ☐ Contingency plan available if no back-up | ☐ Scrapers # | ☐ Trucks # |
| | ☐ Contingency plan reviewed | ☐ Other | |
| 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 | 0 | Height | 16.12 | High Level Shutoff | 13 |
| | | Tank #2 (West) | Secondary Containment ☒ | | | Visual Insp (leaks, rust) | ☒ |
| | | Tank Reading | 9.65 | Height | 24.18 | High Level Shutoff | 20 |
| | | Tank #3 (South) | Secondary Containment ☐ | | | Visual Insp (leaks, rust) | ☐ |
| | | Tank Reading | 8.19 | Height | 28.06 | High Level Shutoff | 26.5 |

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

| | | | | | | | |
|---|---|---|---|---|---|---|---|
| 62 | Flare operations | Flare 1 | Temperature | | Flow | | Pressure |
| | | Flare 3 | Temperature | | Flow | | Pressure |

| | | | |
|---|---|---|---|
| 68 | Front entrance scale | Expiration Date: | Agency: |
| 69 | Rail scale | Expiration Date: | Agency: |

| # | Item/Information Section |
|---|---|
| 28 | Dust is controlled and minimal however misting system frozen and not in operation. |
| 29 | Several groundhog holes have been noted on the most recent inspections. Facility has live traps on site however they are not utilized. Ensure vector control strategies are utilized to prevent vector burrowing and damage |

| # | General Comments Section |
|---|---|
| 49 | A wet section of cement at the base of Tank 2 was observed 1-24-2023. This area was checked again 2-1-2023 to verify for possible leak of tank. Area was dry 2-1-2023. This area will need to be continued to monitor. North West quarter of tank. |
| — | Facility Contracted to repair all erosion |

| Facility Name: | Sunny Farms Landfill LLC | Date: 2-1-2023 | Page 5 |
|---|---|---|---|

**Select Waste**

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

| Austin Nainiger | | 2-1-2023 |
|---|---|---|
| **Print Name of Inspector Completing Inspection Form** | **Signature** | **Date** |

**Last Revised: January 22, 2020**