# SENECA COUNTY GENERAL HEALTH DISTRICT

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**Anne Goon, MS, RD, LD, Health Commissioner**


8/27/2021

Brian Ezyk
Sunny Farms Landfill LLC
12500 W Co Rd 18
Fostoria, OH 44830

Subject: Sunny Farms Landfill, Seneca County
Letter of Compliance

Dear Mr. Ezyk:

Thank you for having Brian Graves accompany me during the Seneca County General Health District's August 27, 2021, inspection of Sunny Farms Landfill in Seneca County Ohio. This was a comprehensive 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 x6323 or anainiger@senecahealthdept.org

Sincerely,

Austin Nainiger
Seneca County General Health district

Enclosure: Inspection Checklist

ec: Tyler Madeker, Ohio EPA, DMWM-NWD
Brian Ezyk, Sunny Farms Landfill, LLC
Crystal Young, Sunny Farms Landfill, LLC
Brad Bashore, Sunny Farms Landfill, LLC

SENECA COUNTY GENERAL HEALTH DISTRICT
Public Health
Prevent. Promote. Protect.

# Municipal Solid Waste Landfill
# Inspection Checklist

**Facility/Location Name:** Sunny Farms Landfill LLC

☑ **Comprehensive Inspection** — **Date of Last Inspection:** 8/20/2021

☐ **Focused Inspection** — **Specify Item Number(s)**

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

**Date:** 8/25/2021 **Time:** 8:50 AM **Weather:** 71 degrees 6mph SSE

**Inspection Representatives**

**Facility:** Brian Graves **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 | ☑ | ☐ | ☐ | ☐ | 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** | | | | | | |
| 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** | | | | | | |
| 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** | | | | | | |
| 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** | | | | | | |
| 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** | | | | | | |
| 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** | | | | | | |
| 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** | | | | | | |
| 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 | ☐ | ☑ | Was photo documentation gathered? | ☐ Photos attached |
| 71 | ☐ | ☑ | Were hydrogen sulfide levels documented using a Jerome meter? | ☐ Results attached |

| Item | Information | | | | | | |
|---|---|---|---|---|---|---|---|
| 1 | License terms/conditions: | ☑ 2021 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: | | | | |
| | | Alteration # | Type: | | | | |
| | ☑ No alterations issued | 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 1 | | | | |
| | ☑ Contingency plan available if no back-up | ☑ Scrapers 1 | ☑ Trucks 13 | | | | |
| | ☑ Contingency plan reviewed | ☑ Other 3 excavators, 1 Sweeper, 2 Track Mobiles, 1 Water Truck, 2 Loaders | | | | | |
| 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: SFL/Temp Agency | Number: 4 | | | | |
| 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 PS #1, 2A | Compliance | 18 inches | Reading | 15 | Auto On | ☑ |
| | | Closed North PS #2, 2C | Compliance | 18 inches | Reading | -- | Auto On | ☐ |
| | | Closed North PS #3, 3A | Compliance | 18 inches | Reading | 16 | Auto On | ☑ |
| | | Closed North PS #4, 3C | Compliance | 18 inches | Reading | 15 | Auto On | ☑ |
| | | Closed North PS #5, 4A | Compliance | 18 inches | Reading | 15 | Auto On | ☑ |
| | | Closed North PS #6, 4B (4C on SCATA) | Compliance | 18 inches | Reading | 16 | Auto On | ☑ |
| | | Closed North PS #7, 5A | Compliance | 18 inches | Reading | 16 | Auto On | ☑ |
| | | Closed North PS #8, 5B | Compliance | 18 inches | Reading | 17 | Auto On | ☑ |
| | | Closed North PS #9, 6A | Compliance | 18 inches | Reading | 17 | Auto On | ☑ |
| | | Closed North PS #10, 6B | Compliance | 18 inches | Reading | 15 | Auto On | ☐ |
| | | Closed North PS #11, 7 | Compliance | 18 inches | Reading | 16 | Auto On | ☑ |

| | | | | | | | | |
|---|---|---|---|---|---|---|---|---|
| **49** | Leachate sump readings - compliance level vs actual reading | South Sump #8A | Compliance | 36 inches | Reading | 17 | Auto On | ☑ |
| | | South Sump #8B | Compliance | 36 inches | Reading | 17 | Auto On | ☑ |
| | | South Sump #9B | Compliance | 36 inches | Reading | 18 | Auto On | ☐ |
| | | South Sump #10A | Compliance | 36 inches | Reading | 17 | Auto On | ☑ |
| | | South Sump #12/13 | Compliance | 36 inches | Reading | | Auto On | ☐ |
| | | South Sump #13 | Compliance | 36 inches | Reading | 19 | 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 | 2.27 | Height | 24.18 | High Level Shutoff | 20 | |
| | | Tank #3 (South) | Secondary Containment | ☑ | Visual Insp (leaks, rust) | ☑ | | | |
| | | | Tank Reading | 7.09 | 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 | 1320 | Flow | 187 | Pressure | 3425 |

| | | | | |
|---|---|---|---|---|
| **68** | Front entrance scale | Last Inspection: 7/17/2021 | Agency: | Brechbuhler Scales |
| **69** | Rail scale | Last Inspection: 8/15/2021 | Agency: | Seneca Weights and Measure and Rail Scale |

| # | Item/Information Section |
|---|---|
| 49 | Display and SCADA do not match for Cell 6B and Cell 2A sumps. SCADA is in compliance. |

| # | General Comments Section |
|---|---|
| 1 | Installation of secondary sediment barrier on south side of south unit near wetland area. |
| 2 | Some railcars are overfilled however netting is in place |
| 3 | Hydroseeding still in process |
| 4 | No litter was seen around the unloading building in the typical problem areas. |

**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 | 8-25-21 |
|---|---|---|
| **Print Name of Inspector Completing Inspection Form** | **Signature** | **Date** |

**Last Revised: January 29, 2021**