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

October 18, 2022

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 Brian Graves accompany me during the Seneca County General Health District's September 26th, 2022 inspection of Sunny Farms Landfill in Seneca County Ohio and Devin Borer accompany myself and Chris Lund during the September 28th and 29th, 2022. 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 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
Public Health
Prevent. Promote. Protect.

Municipal Solid Waste Landfill
Inspection Checklist

Facility/Location Name: Sunny Farms Landfill LLC

☑ **Comprehensive Inspection** — **Date of Last Inspection:** 9/15/2022

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

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

Date: September 26, 28, and 29 **Time:** **Weather:**

Inspection Representatives

Facility: Brian Graves, Devin Borer **Health District:** Austin Nainiger

Ohio EPA: Not Present

Others Present: Chris Lund, GBB

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	☑	☐	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 # 3 ☑ Compactor #2 ☐ Contingency plan available if no back-up ☐ Scrapers # ☑ Trucks #11 ☐ 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

49						
Leachate sump readings - compliance level vs actual reading	Closed North Sump #1	Compliance 18 inches	Reading 16.77	Auto On	☑
	Closed North Sump #2	Compliance 18 inches	Reading --	Auto On	☐
	Closed North Sump #3	Compliance 18 inches	Reading 16.02	Auto On	☑
	Closed North Sump #4	Compliance 18 inches	Reading 16.62	Auto On	☑
	Closed North Sump #5	Compliance 18 inches	Reading 16.27	Auto On	☑
	Closed North Sump #6	Compliance 18 inches	Reading 16.42	Auto On	☑
	Closed North Sump #7	Compliance 18 inches	Reading 14.96	Auto On	☑
	Closed North Sump #8	Compliance 18 inches	Reading 14.67	Auto On	☑
	Closed North Sump #9	Compliance 18 inches	Reading 15.56	Auto On	☑
	Closed North Sump #10	Compliance 18 inches	Reading 14.42	Auto On	☑
	Closed North Sump #11	Compliance 18 inches	Reading 15.28	Auto On	☑

49						
Leachate sump readings - compliance level vs actual reading	South Sump #8-A	Compliance 36 inches	Reading 17.56	Auto On	☑
	South Sump #8-B	Compliance 36 inches	Reading 17.73	Auto On	☑
	South Sump #9	Compliance 36 inches	Reading 17.6	Auto On	☑
	South Sump #10	Compliance 36 inches	Reading 16.58	Auto On	☑
	South Sump #13	Compliance 36 inches	Reading 12.27	Auto On	☑

	South Sump #12	Compliance	36 inches	Reading	14.26	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	0/0	Height	16.12	High Level Shutoff	13
		Tank #2 (West)	Secondary Containment ☑		Visual Insp (leaks, rust) ☑		
		Tank Reading	5.68/5.99	Height	24.18	High Level Shutoff	20
		Tank #3 (South)	Secondary Containment ☑		Visual Insp (leaks, rust) ☑		
		Tank Reading	10.83/2.49	Height	28.06	High Level Shutoff	26.5
60	Hydrogen sulfide control system	# of control boxes on-site	10		# of control boxes in use	4	
62	Flare operations	Flare 1	Temperature		Flow		Pressure
		Flare 3	Temperature	1163	Flow	3175	Pressure 193
68	Front entrance scale	Last Inspection Date:		Agency:			
69	Rail scale	Last Inspection Date:		Agency:			

#	Item/Information Section
	9/28/2022
29	Pest hole was observed at cell 10 Sump under leachate cleanout
42	A number of erosion cuts were observed along the east slope of cells 13 and 12. A large cut was observed in the southeast slope of cell 13. The cut appears to be down to the waste or has blown debris caught in it. Another large ersion cut was observed near pump station 12. The cut appears to run under the waste limit berm.
65	The waste pile in unloading building from cleaning the floor appears larger than normal. Time inbetween removal of the pile might have been greater than normal. While I was observing operations in the unloading building a front end loader began removing the large pile.
67	Litter fencing present between rail and pond 2 however a section of fencing was down near the north end

#	General Comments Section
	9/26/2022 Wind: 13 mph SW
48	Ponding of water was observed in Cell 2C, area will be checked again during following drier conditions.
49	Leachate pump stations 2A-7 were checked on 9/26/2022. Pump stations 8A-10A, 13, and 12 were checked on 9/28/2022.
49	Leachate tank readings were recorded for both days.
62	Flare reading from 9/28/2022
	9/29/2022
47	Road around the south unit appears to be crowned rather than graded towards the landfill. Stormwater has begun to runoff to the outside edge of the landfill and erosion cuts can be seen.
47	Wetland area and stormwater ditch to the east of the onsite railspur was observed. It appears that the soil berm that separates the wetland area waters and SFL interior stormwater ditch has degraded. The area was walked with SFL personel on 10/6/2022, and personel stated that areas could be improved. Photos of the area were taken.

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	9-29-2022
Print Name of Inspector Completing Inspection Form	**Signature**	**Date**

Last Revised: January 22, 2020

Date	Time	Reading PPB	Lat	Long.	location	Temp.	Speed	Wind Direction	Press.	Operator	Notes
9/26/2022	PM					63	18	W	29.66	AN	
	2:58	0	41.08153599	-83.40232893	US 224 and US 23 Soni Junction						Intermittent Storms
	3:01	0	41.08861768	-83.40142639	2394 US 23						Intermittent Storms
	3:16	0	41.09411209	-83.40048795	TR 108 Stationary Meter						Intermittent Storms
	3:22	0	41.10122789	-83.40256062	US 23 Stationary Meter						Intermittent Storms
	3:25	0	41.1086171	-83.40332981	CR 18 at RR Xing sign						Intermittent Storms
	3:29	0	41.1083608	-83.41822217	12886 CR 18						Intermittent Storms

Date Taken: 9-28-2022

Erosion cut east slope of south unit

Date Taken: 9-28-2022

Cell construction

Cell 12 erosion cut near leachate pump station

Date Taken: 9-28-2022

Waste placement

Date Taken: 9-28-2022

Access road impeding flow of internal ditch

Date Taken: 9-28-2022

Date Taken: 9-28-2022

Large erosion cut on east slope of Cell 13 exposed/blow debris

Date Taken: 9-29-2022

Gas monitoring probe east side of Cell 1 missing lock

Haul road around south unit crown graded. Storm waters flowing away from landfill rather than in.

Date Taken: 9-29-2022

Haul road around south unit crown graded. Storm waters flowing away from landfill rather than in. Evidence of sediment runoff from road in area.

Date Taken: 9-29-2022

Haul road around south unit crown graded. Storm waters flowing away from landfill rather than in.
Sediment deposition from road shown in left photo. Erosion cut shown in right

Date Taken: 9-29-2022