Seneca County General Health District
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March 31, 2023

Transmitted Electronically

Brian Ezyk
Sunny Farms Landfill, LLC
12500 West County Road 18
Fostoria, Ohio 44830

Subject: Resolution of Violation

Dear Mr. Ezyk:

Thank you for your March 14, 2023, response to Seneca County General Health District's Notice of Violation letter (NOV) dated February 28, 2023. The documentation you submitted included a photograph taken of the February 22, 2023 select waste layer at the end of the day. Correction of the violation was also observed in the subsequent inspections of the select waste layer.

I reviewed the documentation that you provided, and have determined that Sunny Farms Landfill LLC has now resolved all violations outlined in the NOV that I observed on February 22, 2023, as described in more detail below.

NOV Letter Reference

1. ORC Chapter 3734
OAC Rule 3745-27-19(D)(1)(b): The owner or operator shall place select waste as the first layer of waste in all areas within the limits of waste placement adjacent to or in contact with the leachate collection system to protect the composite liner from the intrusion of objects during operation of the facility.

a) Description: On February 22, 2023, portions of the select waste layer in cell 11 were composed of C&DD material containing items over two feet in length capable of compromising the liner. SCGHD determined that the C&DD loads found in the cell should not have been placed until at least five feet of appropriate select waste layer were in place.

b) Further information: SCGHD has determined that the owner/operator of Sunny Farms Landfill was not placing select waste as the first layer of waste system to protect the composite liner from the intrusion of objects during operation of the facility. After discussion with the facility it was determined that C&DD loads should not be in the layer and needed to be removed.

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<u>Resolution:</u> On February 22, 2023 an excavator was mobilized to cell 11 to remove C&DD waste. On February 24, 2023 SCGHD inspected Sunny Farms Landfill cell 11 select waste layer and confirmed that the issues found during the February 22, 2023 inspection had been resolved. C&DD loads were not being placed on the cell floor and objects capable of damaging the cell floor were being removed prior to placement on the cell floor. Laborers on cell floor were communicating with bulldozer operators when necessary. In addition, SCGHD received a photograph of the February 22, 2023 select waste layer taken at the end of day included with Sunny Farm's response to the NOV.

Please note that the submission of any requested information to respond to this letter does not constitute waiver of the SCGHD's authority to seek administrative or civil penalties authorized by the Ohio Revised Code.

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

Sincerely,

Austin Nainiger

Austin Nainiger EHST
Seneca County General Health District

ec: Brian Ezyk, Sunny Farms Landfill
Tyler Madeker, DMWM-NWDO