



State of Ohio Environmental Protection Agency

**Northwest District Office**

347 North Dunbridge Road  
Bowling Green, OH 43402-9398

TELE: (419) 352-8461 FAX: (419) 352-8468  
www.epa.state.oh.us

Ted Strickland, Governor  
Lee Fisher, Lieutenant Governor  
Chris Korleski, Director

Re: Seneca County  
Sunny Farms Landfill  
12386 Township Road 108  
Fostoria, OH 44830  
Premise # 0374010199  
High Priority Facility  
**Notice of Violation**

June 27, 2007

**CERTIFIED MAIL**

Mr. John Walker  
Operations Manager  
Sunny Farms Landfill, LLC  
12500 County Road 18  
Fostoria, Ohio 44830

Dear Mr. Walker:

This letter shall serve as follow-up to the inspection conducted at the above-referenced facility on May 31, 2007. The reason for the inspection was to determine the compliance status of the emission units that are operating at your facility. The inspection was conducted by Mr. Thomas Cikotte and myself from the Northwest District Office (NWDO) Division of Air Pollution Control (DAPC).

Based on the discussions with you, the observations during the inspection and a review of the company records, the findings of the inspection are as follows:

1. The rail car unloading and subsequent truck loading of construction and demolition debris and other materials, emissions unit F003 was viewed during the inspection. Significant visible emissions of fugitive dust were observed exiting the transfer station building. Although visible emission observations were conducted, the windshield washer/wipers of the vehicle we were in had to be used in order for us to continue observations of the activities.

The water sprays inside the facility were operating, except for the spray bars located on the north side of the building. This allowed for the excess emissions that would have otherwise been controlled to be exhausted through and out of the building. Failure to operate this section of the water spray system when visible emissions of fugitive dust are present is a violation of the terms and conditions of the permit and Ohio Revised Code (ORC) rule 3704.05. Please also submit copies of the record keeping requirements, as detailed in A.III.3. of Permit to Install (PTI) #03-17030 for the month of May and June.

2. During the site inspection, it was observed that some vehicles now do not have tailgates. The loading and transport of material in trucks that did not have tailgates resulted in much more fugitive dust emissions than from the trucks with tailgates.

From our past visits to the facility, we believed that all trucks had tailgates. It is our intention to administratively modify Permit to Install (PTI) #03-17030 by adding a condition requiring the trucks to have tailgates per the requirements of Ohio Administrative Code (OAC) rule 3745-31-05. Please submit a schedule for when the company will have the tailgates installed/reinstalled.

3. It was explained during the inspection that the facility may not have submitted the renewal Title V permit application within the proper time frame. The facility consultant, Mrs. Shara Dine, did contact me on June 1, 2007 regarding this matter. Mrs. Dine also forwarded an e-mail communication between herself and Mr. Mark Budge of our office about this issue.

After having reviewed the facts and discussing matters with our Central Office, the facility has been found in violation of OAC rule 3745-77-04(E) for not having submitted a renewal Title V permit application within the proper time frame. This is also in violation of ORC rule 3704.05.

4. Complaints have been received in the past months regarding an objectionable odor from the facility. A strong odor was detected on State Route 23 during the inspection. Further analysis is required before we determine whether or not current operations are contributing to a public nuisance in violation of OAC rule 3745-15-07.

The information requested above should be submitted to my attention by no later than August 3, 2007. Please be advised that the submission of the requested information to respond to this letter does not constitute waiver of the Ohio EPA's authority to seek civil penalties pursuant to ORC section 3704.06. The Ohio EPA will make a decision on whether to pursue or decline to pursue such penalties regarding this matter at a later date.

If you have any questions and/or concerns, please contact me at (419) 373-3118.

Sincerely,



Mohammad Smidi  
Environmental Specialist  
Division of Air Pollution Control

//lr

ec: Erica Engel-Ishida, DAPC/CO  
John Paulian, DAPC/CO  
Samir Araj, DAPC/NWDO  
Shara Dine, Dine Comply, Inc.  
Thomas Cikotte, DAPC/NWDO  
pc: Don Waltermeyer, DAPC/NWDO  
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Article Description: <i>Handwritten: 2006-2007 - SUNNY FRAMES LAMP, LLC</i> Recipient Address: <i>Handwritten: 12500 County Road 18, Ruston, Ohio 44830</i>		

PS Form 3800, August 2006 See Reverse for Instructions

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Article Addressed to:  
*Handwritten: Mr. John Walker, Operations Mgr., Sunny Frames Lumbkin, LLC, 12500 County Road 18, Ruston, Ohio 44830*

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