



**Environmental
Protection Agency**

John R. Kasich, **Governor**
Mary Taylor, **Lt. Governor**
Scott J. Nally, **Director**

**Re: Sunny Farms Landfill
Notice of Violation**

October 17, 2012

Mr. Chris Valerian
Sunny Farms Landfill LLC
12500 County Road 18
Fostoria, Ohio 44830

Dear Mr. Valerian:

On September 29, 2012, I, representing the Ohio Environmental Protection Agency (Ohio EPA), conducted a construction compliance inspection at Sunny Farms Landfill (facility). I observed placement of recompacted soil barrier and plastic geomembrane that was being completed for the Phase 5 capping project. The cap construction appeared to be in compliance with applicable authorizing documents.

During the inspection I also observed the working face of the landfill. Insufficient daily cover was placed on previous waste disposal areas. The local working face, towards the west side of Phase 7, did not have any daily cover placed on it. The rail waste on the east side of Phase 7, did not appear to have adequate spray on slurry. The owner/operator is in **violation** of OAC Rule 3745-27-19(F) which states, "Daily cover. Daily cover shall be applied to all exposed solid waste by the end of the working day to control fire hazards, blowing litter, odors, insects, vectors, and rodents. In no event shall solid waste be exposed for more than twenty-four hours after unloading... (1) For units of a sanitary landfill facility having a leachate management system, a soil layer, a minimum of six inches thick, shall be applied and maintained..."

The owner/operator must immediately take the necessary measures to return to compliance with Ohio's environmental laws. Within 14 days of receipt of this letter, the owner/operator is requested to provide documentation to this office including the steps that will be taken to abate the violations cited above. Documentation of steps taken to return to compliance include written correspondence, updated policies, and photographs, as appropriate, and may be submitted via the postal service or electronically to Susan.Hardy@epa.ohio.gov.

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If you have any questions, please contact me at (419) 373-3061.

Sincerely,

A handwritten signature in black ink, appearing to read "Andy Drumm", with a long horizontal flourish extending to the right.

Andy Drumm
Environmental Specialist
Division of Materials & Waste Management

/cg

pc: Joe Frola, Sunny Farms Landfill, LLC
Jim Mohrman, Seneca County Health Department
NWDO File: Seneca County, Sunny Farms Landfill, Inspections

ec: Mike Reiser, DSIWM, NWDO
Susan Hardy, DSIWM, NWDO

Please be advised that the violations cited above will continue until violations have been properly abated. Failure to comply with Chapter 3734 of the Ohio Revised Code and rules promulgated thereunder may result in a civil penalty of up to \$10,000 per day for each violation. It is imperative that you return to compliance. If circumstances delay the abatement of violations, the owner/operator is requested to submit written correspondence of the steps that will be taken by date certain to attain compliance.