



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

Re: Seneca County  
Sunny Farms Landfill  
Notice of Violation

November 27, 2012

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

Dear Mr. Valerian:

On November 7, 2012, the Ohio Environmental Protection Agency (Ohio EPA) and the Seneca County Health Department (Health Department) conducted an odor surveillance along public roads surrounding the Sunny Farms Landfill. The odor monitoring was performed in response to complaints about odors originating from the landfill. Ohio EPA was conducting an Annual Survey of the Health Department, which included a routine comprehensive inspection of the landfill.

**Ohio Administrative Code (OAC) Rule 3745-27-19(B)(3)** states "The owner or operator shall operate the facility in such a manner that noise, dust, and odors are strictly controlled so as not to cause a nuisance or a health hazard."

When evaluating offsite odors, Ohio EPA uses the odor intensity scale provided in the table below. Odors of an intensity 2 or above, which are caused by the landfill and are detected beyond the facility boundary, indicate that the operator is failing to strictly control odors.

Level	Descriptor
0	Odor Not Detectable.
1	Odor present in the air, which activates the sense of smell and the characteristics may or may not be distinguishable and/or definite, but not objectionable in short durations. This is characterized by occasional "whiffs" of odor, but is not persistent.
2	Odor present in the air, which easily activates the sense of smell, is very distinct and clearly distinguishable, tends to be objectionable and/or irritating, and is persistent in the community.
3	Odor present in the air, which is objectionable and causes a person to attempt to avoid it completely.
4	Odor present in the air, which is so strong that it is overpowering and intolerable for any length of time.

Ohio EPA and the Health Department assessed that distinct, definite and clearly detectable odors (odor intensity 2 or above) were found on November 7, 2012, at 11:30 a.m. Township Road 108 west of the landfill by the red barn.

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The distinct and definite offsite odors were characterized as landfill gas with a clearly detectable hydrogen sulfide odor.

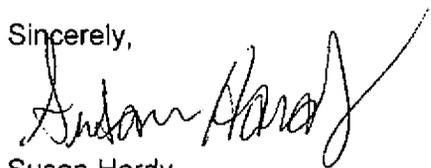
Due to the presence of these offsite landfill odors, the owner/operator of the Sunny Farms Landfill has failed to strictly control odors. The Owner/operator was cited in violation on March 16, 2012, and was not returned to compliance. Therefore, the owner/operator continues to be in violation of OAC Rule 3745-27-19(B)(3).

The Health Department noted the distinct odors documented in a letter dated November 13, 2012, but did not cite violations due to the belief construction activities were causing the odors. Upon further investigation, it has been determined, the odors were not caused by the small amount of remaining construction.

Ohio EPA expects the owner/operator to 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 taken to abate the violations cited above. Documentation of the steps taken to return to compliance may be submitted via the postal service or electronically to [susan.hardy@epa.state.oh.us](mailto:susan.hardy@epa.state.oh.us).

If you have any questions regarding this notice, I may be contacted at by telephone at 419 373-3043, or by email at the address noted above.

Sincerely,



Susan Hardy  
Environmental Specialist II  
Division of Materials and Waste Management

/llr

pc: Jim Mohrman, Seneca County Health Department  
Ed Brdicka, Sunny Farms Landfill, LLC  
Joe Frola, Sunny Farms Landfill, LLC  
Aaron Shear, CO-DMWM  
File: DMWM/SW, Seneca County, Sunny Farms Landfill, Inspections ;

ec: Mike Reiser, DMWM, NWDO  
Andy Drumm, DMWM, 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.