Ohio EPA
40 years and moving forward

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

Re: Seneca County
Sunny Farms Landfill
Notice of Violation

January 2, 2013

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

Dear Mr. Valerian:

On December 15, 2012, the Ohio Environmental Protection Agency (Ohio EPA) conducted an odor surveillance inspection along public roads surrounding the Sunny Farms Landfill. The odor monitoring was performed in response to complaints about odors originating from the landfill and as part of Ohio EPA's odor surveillance program.

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 assessed that distinct, definite and clearly detectable odors (odor intensity 2 or above) were found on December 15, 2012. The following table listed the time, location and intensity of the objectionable odors. The table also lists the Jerome Meter reading for each objectionable odor.

Time	Location	Odor Intensity	Jerome Meter Reading
4:10 PM	County Road 18 at the county line	2	18.04 ppb

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

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 andy.drumm@epa.state.oh.us.

If you have any questions regarding this notice of violation, I can be reached by telephone at (419) 373-3061.

Sincerely,

Susan Hardy
Environmental Specialist
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: Susan Hardy, DMWM, NWDO
Mike Reiser, DMWM, NWDO
Mohammad Smidi, DAPC, NWDO
Miranda Garlock, DAPC, 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.