



John R. Kasich, Governor
Mary Taylor, Lt. Governor
Craig W. Butler, Director

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DECEMBER 12, 2016

Mr. James Lyon
Sunny Farms Landfill
12386 Township Road 108
Fostoria, Ohio 44830

Re: Sunny Farms Landfill LLC
Director's Authorization
Approval
Municipal Solid Waste Landfills
Seneca County
MSWL018786

**Subject: Sunny Farms Landfill, Seneca County
Ohio Administrative Code (OAC) Rule 3745-27-10(D)(7)(c)(ii) Approval**

Dear Mr. Lyon:

On October 21, 2016, the Ohio Environmental Protection Agency (Ohio EPA), Division of Materials and Waste Management (DMWM), Northwest District Office, (NWDO) received a document titled "*Alternate Source Demonstration – First Semi-Annual 2016 Sampling Event Statistically Significant Increase of Arsenic at MP-15BR, Chloride at MP-3AR, and Sodium at MP-15AR Sunny Farms Landfill, Seneca County, Ohio, CEC Project 120-262,*" dated October 21, 2016, for Sunny Farms Landfill (Facility) located in Seneca County. This document was submitted by Civil & Environmental Consultants, Inc., on behalf of Sunny Farms Landfill, LLC, and contains the ground water sampling results and the statistical analysis from the May 10, 2016, ground water sampling event at the Facility.

According to the document, analysis of the ground water detection monitoring data indicated that the following statistically significant changes were detected: chloride in monitoring well MP-3AR; sodium in monitoring well MP-15AR; arsenic in monitoring well MP-15BR.

Pursuant to OAC Rule 3745-27-10(D)(7)(c)(ii), the owner or operator may demonstrate that a source other than the sanitary landfill facility caused the contamination, or that the statistically significant change resulted from error in sampling, analysis, or statistical evaluation or natural variation in ground water quality. A report documenting this demonstration must be submitted to and approved by Ohio EPA. If the owner or operator does not obtain approval to continue detection monitoring not later than two hundred ten (210) days from initial sampling, the owner or operator is required to comply with the provisions of OAC Rule 3745-27-10(E) for ground water quality assessment monitoring.

The October 21, 2016, document concluded that the statistically significant changes for chloride in monitoring well MP-3AR; sodium in monitoring well MP-15AR; arsenic in monitoring well MP-15BR were due to natural variation in ground water quality, and not as a result of impact from the landfill. Monitoring wells MP-3AR, MP-15AR, MP-15BR were initially sampled on May 10, 2016.

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Ohio EPA has reviewed the applicable information and concurs with the demonstration included in the October 21, 2016, document. Therefore, pursuant to OAC Rule 3745-27-10(D)(7)(c)(ii), the owner or operator is hereby authorized to continue the detection monitoring program at the Facility for monitoring wells MP-3AR, MP-15AR, MP-15BR.

Should future or existing ground water sampling results indicate statistically significant changes in ground water monitoring parameters, the owner or operator will be required to either enter into assessment monitoring in accordance with OAC Rule 3745-27-10(E) or obtain approval to remain in the detection monitoring program.

You are hereby notified that this action of the Director of Environmental Protection (Director) is final and may be appealed to the Environmental Review Appeals Commission pursuant to Ohio Revised Code Section 3745.04. The appeal must be in writing and set forth the action complained of and the grounds upon which the appeal is based. The appeal must be filed with the Commission within thirty (30) days after notice of the Director's action. The appeal must be accompanied by a filing fee of \$70.00 made payable to "Treasurer, State of Ohio." The Commission, in its discretion, may reduce the fee if by affidavit it is demonstrated that payment of the full amount of the fee would cause extreme hardship. Notice of the filing of the appeal shall be filed with the Director within three (3) days of filing with the Commission. Ohio EPA requests that a copy of the appeal be served upon the Ohio Attorney General's Office, Environmental Enforcement Section. An appeal may be filed with the Environmental Review Appeals Commission at the following address:

Environmental Review Appeals Commission
77 South High Street 17th Floor
Columbus, Ohio 43215

If you have any questions concerning this action, please contact Tyler Madeker, DMWM, NWDO at (419) 373-3078.

Sincerely,



Shannon Nabors, Chief
NWDO
for Craig W. Butler, Director

/mrf

ec: Ed Brdicka, Sunny Farms Landfill, LLC
Jim Mohrman, Seneca County Health Department
John DiNunzio, Civil & Environmental Consultants
Ken Brock, DDAGW-NWDO
Mike Beal, DDAGW-NWDO
Mike Reiser, DMWM-NWDO
Scott Hester, DMWM-CO

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