



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

Ohio EPA FEB 8 '18
Entered Directors Journal

FEB 0 8 2018

Mr. James Lyon
Sunny Farms Landfill, LLC
12500 West County Road 18
Fostoria, OH. 44830

Re: Sunny Farms Landfill LLC
Non-Permit Related Exemption
Approval
Municipal Solid Waste Landfills
Seneca County
MSWL018786

**Subject: Sunny Farms Landfill, Seneca County
Exemption from the Requirements of Ohio Administrative Code (OAC)
Rule 3745-27-10(F)(2)(e)(ii)**

Dear Mr. Lyon:

On October 25, 2017, the Ohio Environmental Protection Agency (Ohio EPA), Division of Materials and Waste Management (DMWM), Northwest District Office (NWDO) received a request, dated October 24, 2017, titled "Exemption Request Pursuant to OAC Rule 3745-27-03 to Delete EDB and DBCP from the Corrective Measure Monitoring Program." The document was submitted in accordance with OAC Rule 3745-27-03(B) by Civil & Environmental Consultants, Inc. (CEC), on behalf of Sunny Farms Landfill, LLC, the owner/operator of Sunny Farms Landfill. The document requested an exemption from the requirements of OAC Rule 3745-27-10(F)(2)(e)(ii), in accordance with OAC Rule 3745-27-03(B).

OAC Rule 3745-27-10(F)(2)(e)(ii) requires sampling for the parameters numbered 1-66 of Appendix I of this rule which were determined not to have been released to ground water. Sunny Farms Landfill, LLC requested to delete 1,2-dibromo-3-chloropropane (DBCP) and 1,2-dibromoethane (EDB) from the corrective measures monitoring parameter list for Sunny Farms Landfill.

Sampling results for DBCP and EDB included in the exemption request support the removal of DBCP and EDB from the corrective measures monitoring parameter list. Based on the submitted data, Sunny Farms Landfill has never had a detection of DBCP or EDB and the parameters are not reasonably expected to be in or derived from the waste contained or deposited in Sunny Farms Landfill.

Ohio EPA has reviewed the exemption request and has determined that granting Sunny Farms Landfill, LLC an exemption from the requirements of OAC Rule 3745-27-10(F)(2)(e)(ii) is unlikely to adversely affect public health or safety or the environment.

Therefore, pursuant to Ohio Revised Code (ORC) Section 3734.02(G) and OAC Rule 3745-27-03(B), Sunny Farms Landfill, LLC is hereby granted an exemption from the requirements in OAC Rule 3745-27-10(F)(2)(e)(ii) only as it relates to determining the presence of DBCP or EDB in ground water above background levels. Sunny Farms Landfill, LLC shall continue monitoring all the wells in corrective measures monitoring for parameters 1-27 and parameters 30-66 listed in Appendix I in accordance with OAC Rule 3745-27-10, unless otherwise authorized by Ohio EPA. This exemption shall remain in effect throughout the effective period of this authorization unless otherwise revoked.

You are hereby notified that this action of the Director is final and may be appealed to the Environmental Review Appeals Commission pursuant to ORC 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
30 East Broad Street, 4th Floor
Columbus, Ohio 43215

If you have any questions concerning this letter, please contact Tyler Madeker of Ohio EPA, NWDO at (419) 373-3078.

Sincerely,



Craig W. Butler
Director, Ohio EPA

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

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