



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

January 31, 2019

Sunny Farms Landfill LLC
12500 W Co Rd 18
Fostoria, OH 44830

Re: Sunny Farms Landfill LLC
Director's Final Findings and Orders (DFFO)
DFFO
Municipal Solid Waste Landfills
Seneca County

Subject: Final Findings and Orders of the Director

Dear Sir or Madam:

Transmitted herewith are the Final Findings and Orders of the Director concerning the matter indicated for Sunny Farms Landfill LLC.

If you have any questions, please contact Teri Finrock at (614) 644-3037.

Sincerely,

A handwritten signature in cursive script that reads "Jeri Main".

Jeri Main, Administrative Professional Unit
Division of Materials & Waste Management

Enclosure

ec: Kelly Jeter, DMWM, CO
Bruce McCoy, DMWM, CO
Teri Finrock, Legal
John Pasquarette, DMWM, NWDO

**BEFORE THE
OHIO ENVIRONMENTAL PROTECTION AGENCY**

In the Matter Of:

Sunny Farms Landfill LLC	:	<u>Director's Interim Findings</u>
12500 W Co Rd 18	:	<u>and Orders</u>
Fostoria, OH 44830	:	

Respondent

Ohio EPA JAN 31 11:3
Entered Director's Journal

PREAMBLE

The parties having engaged in settlement discussions and desiring to avoid litigating disputed claims, have reached an agreement pursuant to Ohio Revised Code ("ORC") 3745.01 to resolve said claims through these Director's Interim Findings and Orders ("Orders"). A set of Director's Final Findings and Orders may be issued later to require Respondent to take additional action if necessary.

I. JURISDICTION

These Orders are issued to Sunny Farms Landfill LLC ("Respondent") pursuant to the authority vested in the Director of the Ohio Environmental Protection Agency ("Ohio EPA") under ORC Sections 3734.13 and 3745.01.

II. PARTIES BOUND

These Orders shall apply to and be binding upon Respondent and its successors in interest under Ohio law. No change in ownership of the Facility as hereinafter defined shall in any way alter Respondent's obligations under these Orders.

III. DEFINITIONS

Unless otherwise stated, all terms used in these Orders shall have the same meaning as defined in ORC Chapter 3734 and the rules promulgated thereunder.

IV. FINDINGS

The Director of Ohio EPA has made the following findings:

1. The Sunny Farms Landfill ("Facility") is located at 12500 W County Road 18, Fostoria, OH, Seneca County, Ohio.
2. Respondent is the "owner" of the Facility and "operator" of the Facility as those terms are defined in Ohio Administrative Code ("OAC") Rules 3745-27-01(O)(7) and (O)(5), respectively.
3. The Facility is a "sanitary landfill facility" as that term is defined under OAC Rule 3745-27-01(S)(4) and is authorized to accept "solid waste" as that term is defined under ORC Section 3734.01(E) and OAC Rule 3745-27-01(S) (23) and "construction and demolition debris" as that term is defined under ORC Section 3714.01 and OAC Rule 3745-400-01.
4. The Respondent is a person as that term is defined in ORC Section 3734.01(G) and in Ohio Administrative Code ("OAC") Rule 3745-27-01(P)(3).
5. The Seneca County General Health District (Health Department) is approved to administer Ohio's solid waste laws and regulations pursuant to OAC Rule 3745-37-08.
6. A Jerome meter is a portable device manufactured by Arizona Instrument, LLC that is used to monitor and quantify hydrogen sulfide in the air. A Jerome meter is capable of detecting hydrogen sulfide concentrations from 3 parts per billion (ppb) to 10 parts per million (ppm) and can be used for regular monitoring of hydrogen sulfide levels near landfills and other facilities.
7. OAC Rule 3745-27-19(B)(2) states in pertinent part, "The owner or operator shall conduct all construction and operation at a sanitary landfill facility in strict compliance with the applicable authorizing document, including a permit to install, a plan approval, an operational report, an approved closure plan, an alteration concurred with in writing by Ohio EPA, or any authorizing document listed in paragraph (I) of rule 3745-27-09 of the Administrative Code,..."
8. OAC Rule 3745-27-19(B)(3) states in pertinent part, "The owner or operator shall operate the facility in such a manner that . . . odors are strictly controlled so as not to cause a nuisance or a health hazard..."

9. Ohio Revised Code Section 3734.11(A) states, "No person shall violate any section of this chapter, any rule adopted under it, or any order issued under section 3734.13 of the Revised Code."
10. On January 23, 2013, the Director issued consensual director's final findings and orders (and as subsequently modified on December 31, 2013) (herein collectively referred to as "2013 DFFOs"). These DFFOs were issued to address offsite odors from the Facility.
11. In October 2018, facility perimeter odor monitoring resulted in four verified readings of hydrogen sulfide above 15 parts per billion (ppb) and included a high reading of 31 ppb.
12. In October 2018, 31 odor complaints were received via the Facility's odor complaint hotline.
13. In November 2018, facility perimeter odor monitoring resulted in five verified readings of hydrogen sulfide above 15 ppb and included a high reading of 33 ppb.
14. In November 2018, 49 odor complaints were received via the Facility's odor complaint hotline.
15. In December 2018, facility perimeter odor monitoring submitted through December 20, 2018, resulted in 10 readings of hydrogen sulfide above 15 ppb, and included a high reading of 104 ppb.
16. In December 2018, 196 odor complaints were received via the Facility's odor complaint hotline.
17. On December 20, 2018, the Health Department conducted odor surveillance inspections along public roads that surround the Facility. Hydrogen sulfide sampling with a Jerome meter was conducted and resulted in six readings over 15 ppb and included a high reading of 184 ppb.
18. Since December 20, 2018, Ohio EPA conducted odor surveillance inspections along public roads that surround the Facility. Hydrogen sulfide sampling with a Jerome meter was conducted showing some hydrogen sulfide levels above 15 ppb.
19. On December 14, 2018, Ohio EPA conducted a focused inspection of the Facility to determine compliance with the facility's approved permit to install. The

inspection revealed that the Respondent had only constructed in 2018 10 acres of the required 20 acres of the Final Cap System over the applicable parts of Phases 8 and 9. Respondent has indicated this was due to adverse weather conditions.

20. By Notice of Violation letter dated December 20, 2018, Ohio EPA notified Respondent of the failure to comply with OAC Rule 3745-27-19(B)(2) relating to capping of Phases 8 and 9.
21. On December 28, 2018, Ohio EPA conducted a focused inspection of the Facility to determine compliance with intermediate cover requirements and Order No. 14 of the 2013 DFFOs which required intermediate cover to be twenty-four inches thick. Test pits indicated that the intermediate cover thickness on the eastern slope of Cells 8 and 9, and the southern slope of Cell 9 ranged from approximately twelve inches to twenty inches.
22. By Notice of Violation letter dated January 4, 2019, Ohio EPA notified Respondent of its failure to comply with the 2013 DFFOs, which is a violation of ORC Section 3734.11(A).
23. By Notice of Violation letter dated December 31, 2018, Ohio EPA notified the Respondent of the results of Ohio EPA's odor surveillance efforts, informing Respondent that the presence of the off-site odors was a violation of OAC Rule 3745-27-19(B)(3).
24. By letter dated January 3, 2019, Respondent responded to the December 20, 2018 Notice of Violation. Respondent submitted a proposed compliance plan for addressing the Phase 8 and 9 capping violations as referenced in the December 20, 2018 Notice of Violation regarding the failure to complete construction of final cover.
25. By letter dated January 28, 2019, Respondent responded to the December 31, 2018 Notice of Violation. Respondent described measures that Respondent is implementing to control odors at the Facility.
26. By letter dated January 28, 2019, Respondent responded to the January 4, 2019 Notice of Violation. Respondent described the intermediate cover measures Respondent is implementing at the Facility.
27. By letter dated January 24, 2019, the Seneca County General Health District issued a Notice of Violation to Respondent.
28. By letter dated January 31, 2019, Respondent responded to the January 24, 2019 Notice of Violation by the Seneca County General Health District. Respondent described measures that Respondent is implementing to control odors at the Facility.

29. By Notice of Violation letter dated January 25, 2019, Ohio EPA stated the results of Ohio EPA's odor surveillance efforts, informing Respondent that the presence of the off-site odors was a violation of OAC Rule 3745-27-19(B)(3).
30. By letter dated January 30, 2019, Respondent responded to the January 25, 2019 Notice of Violation. Respondent described measures that Respondent is implementing to control odors at the Facility.
31. Beginning in September 2018, Respondent began the selection, design and procurement of a system to remove hydrogen sulfide from landfill gas. The delivery and installation of the hydrogen sulfide treatment system began in December 2018 and the first phase of the system became operational on January 7, 2019.
32. Beginning on December 27, 2018, Respondent initiated weekly surface emissions monitoring at the Facility.
33. The Director has determined that additional actions are required to adequately address odors at the Facility as set forth herein.

V. INTERIM ORDERS

The Director hereby issues the following Orders. These Orders supersede the 2013 DFFOs, which are hereby terminated:

Odor Control

1. Respondent shall install a layer of geomembrane as an odor control blanket (OCB) in the locations detailed in Attachment A and in accordance with the specifications in the Respondent's current permit, or alternate specifications authorized by Ohio EPA in writing, and the following schedule:
 - a. By no later than April 30, 2019, for all areas of the Facility that were required to have final cap completed in 2018 as described as Area 1 on Attachment A.
 - b. Not later than thirty (30) days after completing the installation of the OCB, Respondent shall submit a certification report, for Ohio EPA concurrence, documenting the construction of the OCB and associated gas collection network.

By no later than February 28, 2019, Respondent shall ensure that a minimum of 36 inches (3 feet) of intermediate soil cover is in the area described as Area 2 on Attachment A.

2. Within sixty (60) days of the effective date of these Orders, Respondent shall install permanent Jerome meters at three (3) locations approved by Ohio EPA. Locations shall be selected based upon odor surveillance information (location, frequency, and availability of a power source) and the Jerome meters shall be calibrated and maintained in accordance with manufacturer's specifications. The Jerome meters shall be programmed to record H₂S readings every ten minutes 24 hours a day 7 days a week. After a period of one year, Respondent may submit a request to Ohio EPA Northwest District Office (NWDO) for suspension or termination of the Jerome meters based on the readings detected. Respondent shall submit a weekly report to Ohio EPA and the Health Department that provides the date, time, location, and amount of H₂S detected for each reading. If the H₂S readings from the permanent meters are below 15 ppb for a period of three consecutive months, Respondent may submit a written request to Ohio EPA NWDO to reduce the frequency of the report to a monthly report. If the request is approved, but then the H₂S readings from the permanent meters exceed 15 ppb thereafter, Ohio EPA NWDO may require, in writing, that Respondent return to a weekly report, and Respondent shall accordingly return to a weekly report.
3. Upon the effective date of these Orders, Respondent shall limit the size of the working faces at the Facility to the requirements specified in OAC Rule 3745-27-19, but the cumulative area of the working faces shall not exceed an area of three and one-half (3.5) acres. Upon the effective date of these Orders, Respondent shall only use soil as daily cover, unless otherwise authorized by Ohio EPA in writing after the effective date of these Orders.
4. Immediately upon issuance of the Orders and continuously thereafter, Respondent shall initiate the installation of intermediate cover in all areas of the Facility for which a final cap has not been constructed or is in the process of being constructed in accordance with OAC Rule 3745-27-19(G), except that the intermediate cover shall be at least twenty-four (24) inches thick. Respondent is not required to place intermediate cover in the areas described in Order 1. Respondent shall submit a quarterly report including a map and supporting documentation verifying compliance with this Order by using data from Respondent's laser control/GPS elevation system at the Facility.

Flare System

5. Not later than thirty (30) days after the effective date of these Orders, Respondent shall submit an alteration to the solid waste permit No. 676460 regarding the gas collection and control system upgrades including the interim H₂S treatment boxes, the southern gas header, lateral collection pipes, and gas wells. Respondent shall apply for any air permit, alterations to the air permit issued for the Facility, or other authorizations if necessary.
6. Not later than April 30, 2019, Respondent shall complete installation of the

southern gas header, lateral collection pipes, and gas wells as depicted in blue and black in Phase 3 on Attachment B.

7. Respondent shall, by the 20th day of each month, submit to Ohio EPA and the Health Department a written report that includes the following information for each flare:
 - The information specified in Respondent's January 18, 2019 Gas Collection and Control System Monthly Operations Report, and
 - Outlet concentrations of H₂S weekly for treated gas leaving H₂S treatment boxes (QRAE tube) through June 2019. Beginning in July 2019, outlet concentrations of H₂S for treated gas leaving H₂S treatment boxes (QRAE tube) shall be determined on a monthly basis.
8. Within two weeks after the effective date of these Orders, Respondent shall perform quarterly laboratory analysis of the gas entering and leaving the H₂S treatment boxes in accordance with Test Method 15/16 or ASTM D-5504 for each flare at the Facility to confirm the QRAE tube analysis.

Respondent shall submit a written report to Ohio EPA and the Health Department not later than thirty (30) days after the analysis is completed pursuant to this Order.

Gas Extraction System

9. Not later than (30) days after the effective date of the Orders, and by January 1st and July 1st each year thereafter, Respondent shall submit to Ohio EPA for review and concurrence a written evaluation report of the entire gas extraction system to determine whether:
 - a) the existing gas extraction/management system is operating effectively to control odors;
 - b) additional gas extraction infrastructure is required; and
 - c) the current flare system can handle the necessary volume of gas to control odors.
10. If the evaluation reveals that the gas extraction system is not sized properly, then not later than thirty (30) days after submission of the written evaluation report, Respondent shall submit to Ohio EPA for concurrence a plan to revise the gas extraction system to ensure that the system is sized properly. Upon Ohio EPA's concurrence, Respondent shall implement the revised plan in accordance with a schedule to be agreed upon by Respondent and Ohio EPA.
11. Not later than (30) days after the effective date of the Orders, and by July 1, 2019, and January 1st and July 1st each year thereafter, Respondent shall measure the concentration of carbon monoxide (EPA Method 25C Modified), at the five hottest gas wells that exceed 131 degrees Fahrenheit (131° F) at the Facility, and submit

the monitoring results by the 20th day of the following month to Ohio EPA and the Health Department.

Surface Emissions Monitoring

12. Within two weeks after the effective date of these Orders, Respondent shall perform weekly surface emission monitoring of all areas at the Facility where waste is disposed, and final or transitional geomembrane cap has not been constructed. This includes the edges of the OCB. Respondent is not required to conduct weekly surface emission monitoring at the working face, haul roads or on the OCB. Respondent shall conduct surface emission monitoring for H₂S with a Jerome meter, and for methane pursuant to 40 C.F.R. 60.755 (c) with the following exceptions:

- The exceedance methane concentration threshold shall be 100 parts per million (ppm) rather than 500 ppm; and
- The serpentine pattern shall be conducted at approximate 50-foot spacing rather than a 100-foot spacing.
- Jerome meter readings for H₂S shall be taken on the surface of the Facility at all locations with methane reading above 100 ppm.

Respondent shall notify Ohio EPA and the Health Department not less than 24-hours before conducting surface emission monitoring pursuant to this Order.

If Respondent is unable to safely conduct surface emission monitoring in an area due to potentially dangerous conditions (such as snow or ice cover or overly saturated soil conditions), Respondent may request Ohio EPA's approval to exclude such area from the monitoring pattern during the period that such potentially dangerous conditions exist.

If there has not been an exceedance of methane for a period of four consecutive weeks, Respondent may request from Ohio EPA NWDO, in writing, to reduce the frequency of such surface emission monitoring to monthly. If there has not been an exceedance of methane for a period of three consecutive months, Respondent may request from Ohio EPA NWDO, in writing, to change the exceedance methane concentration threshold, or to reduce the frequency of such surface emission monitoring to quarterly. If the request is approved, and a change in circumstances occurs and there are H₂S levels that exceed 15 ppb detected off-site, Ohio EPA NWDO may require, in writing, that Respondent return to the original schedule or threshold specified above. Respondent shall accordingly comply.

13. For the purpose of this Order, exceedance means a methane concentration of 100 ppm.

Not later than seven (7) days after performing surface emission monitoring pursuant to Order #12, Respondent shall submit to Ohio EPA the results on a plan drawing showing the approximate location of each detection above established threshold for methane. If any exceedance occurs, Respondent shall complete corrective actions within the timeframes prescribed within 40 C.F.R. 60.755 (c) with the following modifications:

- A. Not later than 72 hours after detecting the exceedance, perform cover maintenance, adjust the vacuum of the adjacent wells to increase gas collection in the vicinity of each exceedance or take other corrective action and the location shall be re-monitored.
- B. If the re-monitoring of the location shows a second exceedance, additional corrective action (i.e. re-adjust the vacuum, perform additional cover maintenance, etc.) shall be taken and the location shall be monitored again not later than 72 hours after the second exceedance.
- C. If re-monitoring shows a third exceedance for the same location, Respondent shall not later than 72 hours after the third exceedance, identify and delineate the portion of the Facility in which the exceedances are located. Not later than forty-five (45) days after the identification and delineation, Respondent shall do either of the following:
 - i. Install a new well or other collection device; or
 - ii. Install an OCB that covers the delineated area and that extends fifty feet beyond the delineated area in each direction, in accordance with the specifications in the Respondent's current permit, or alternate specifications authorized by Ohio EPA in writing.

Not later than three (3) days after the third exceedance, Respondent may request an alternative remedy, such as upgrading the blower, header pipes or control device, and a corresponding timeline for installation by submitting a written request to Ohio EPA for written concurrence. Upon written concurrence from Ohio EPA, Respondent shall implement the alternative remedy and corresponding timeline in accordance with the concurrence.

Odor Monitoring Systems

14. Respondent shall continue to implement a self-monitoring odor system at the Facility. The self-monitoring odor system shall include, but not be limited to, the following:
 - The odor monitoring must be conducted two times daily, seven days a week, at dawn (5:00 am to 8:00 am), and at dusk (5:00 pm to 11:00 pm). Readings shall be taken at the monitoring locations outlined below with a Jerome meter. If an initial reading at a location is less than 15 ppb H₂S, no additional readings must be taken. If an initial reading at a location exceeds

15 ppb, Respondent may take two additional readings, at subsequent intervals when the previous reading is purged (not to exceed 3 minutes per interval) and record the average of the three readings.

- If no readings from Respondent's self-monitoring odor system exceed 15 ppb (or an average of 15 ppb if three readings are taken) for a period of three consecutive months, Respondent may request from Ohio EPA NWDO, in writing, to reduce the frequency of odor monitoring to two times per day, five days a week during normal operating hours. If the request is approved, but then the H₂S readings exceed 15 ppb thereafter, Ohio EPA NWDO may require, in writing, that Respondent return to two times daily, seven days a week, as described above, and Respondent shall accordingly return to daily self-monitoring for odors.
- The monitoring locations shall be as follows: a location at the property line downwind of the approximate center of the southern unit of the Facility, two community locations outside the Facility at the first public right of way downwind of the approximate center of the southern unit of the Facility (as feasible), and three community locations outside the Facility at a public right of way further downwind of the approximate center of the southern unit of the Facility (as feasible). All locations must include longitude and latitude coordinates.
- A reading using a Jerome meter model capable of accurately measuring H₂S at 5 ppb must be taken and recorded at the time of each monitoring event. Respondent shall maintain, calibrate, and operate the Jerome meter in accordance with the manufacturer's specifications.
- Monitoring records that include the date, time, and location of odor monitoring and calibration records shall be submitted to Ohio EPA and the Health Department monthly, by the 5th business day of the following month. Respondent shall notify Ohio EPA and the Health Department within 24 hours if an average of three readings is 15 ppb H₂S or above.

Continuous Meteorological (MET) Station

15. Respondent shall maintain a minimum of one (1) MET station. The station(s) shall be located such that data is representative of conditions affecting the transport of emissions from the sources of H₂S at the Facility. Each MET station shall meet the following criteria: accurately measuring temperature, wind speed, wind direction, and barometric pressure on a continuous basis; record wind direction in one-degree increments; be equipped with a data recording device capable of recording each reading; record measurements every 10 minutes; and generate hourly average data for all parameters. Real-time and all historical data shall be available to Ohio EPA and the Health Department electronically on Respondent's website.

Odor Complaint Response

16. Respondent shall continue to maintain a 24-hour, 7 days per week odor complaint

telephone hotline that is operated by a third-party. Respondent shall ensure the following:

- A. Upon receipt of any odor complaint, the third-party requests, and if provided records, information including, but not limited to, the date & time, complainant's name, location of the odor, and description and nature of the odor, and notifies Respondent, the Health Department, and Ohio EPA by electronic mail promptly upon receipt of each odor complaint, and
- B. At the end of each month, the third-party provides a report to Respondent, the Health Department, and Ohio EPA that compiles all complaints received during the month period. The report must be submitted electronically to email addresses provided by Respondent, the Health Department, and Ohio EPA.

17. Upon the effective date of these Orders, Respondent shall investigate, during normal operating hours, all complaints received to the extent possible.

Within two weeks after the effective date of these Orders, Respondent shall submit to Ohio EPA an odor complaint form that documents Respondent's actions taken to investigate and address each odor complaint, including any response actions taken to abate odors. Respondent shall include the form in its odor complaint log and maintain the log at the Facility. Respondent shall make the log available to Ohio EPA and the Health Department upon request.

Additional Measures

18. Respondent shall re-assess all potential sources of odors at the Facility, including the flare configuration system and its operating parameters, and submit a report to Ohio EPA not later than thirty (30) days after Respondent, Ohio EPA, or the Health Department if the average of three H₂S readings taken at three-minute intervals using a Jerome meter at any off-site location exceeds 15 ppb on three (3) days within any calendar month.

The report shall also include a corrective measures plan that evaluates all practicable remediation measures, including modification of the H₂S remediation system if necessary, that are available to strictly control odors such that the Facility does not cause a nuisance or health hazard. Ohio EPA may require the evaluation of additional remediation measures.

Backup Power Supply

19. Not later than sixty (60) days after the effective of these Orders, Respondent shall obtain and maintain backup power sources for the landfill's gas extraction system to ensure continuous operation in the event of a power failure.

Community Outreach

20. Not later than sixty (60) days after the effective of these Orders, Respondent shall establish a community outreach program (including a website and other social media forums) to notify the community as soon as practicable of any facility malfunction, power outage, or event that may cause the migration of odors beyond the Facility property. The odor hotline phone number shall be included on Respondent's website. Respondent shall periodically, but at a minimum quarterly, update government officials and the community on actions taken by Respondent to address such offsite odors.

Notification

21. Upon the effective date of these Orders, Respondent shall notify Ohio EPA - NWDO and the Seneca County Health Department immediately upon discovery of any facility malfunction, power outage, or event that may cause the migration of nuisance odors beyond the landfill property.
22. Upon the effective date of these Orders, Respondent shall remove, at least once daily or more often if needed, mud, debris, and dirt, dragged onto Township Road 108 from Respondent's vehicles, if any.

VI. POTENTIAL FORCE MAJEURE

In the event that Respondent's performance of its obligations under these Orders is or may be delayed due to factors beyond Respondent's reasonable control (such as adverse weather conditions, etc.), Respondent shall promptly notify Ohio EPA in writing. If Respondent demonstrates to the satisfaction of Ohio EPA that its performance of an obligation under these Orders will be delayed due to factors beyond Respondent's reasonable control, the deadline for Respondent's performance of that obligation shall be extended for the time necessary to account for such delay, as determined by Ohio EPA based upon the facts and circumstances. Increased cost of compliance, among other circumstances, shall not be considered an event beyond the reasonable control of Respondent for purposes of these Orders.

VII. REVIEW OF SUBMITTALS

Ohio EPA may review any plan, report, or other item required to be submitted pursuant to these Orders in accordance with this Section. Upon review, Ohio EPA may in its sole discretion: (a) approve the submission in whole or in part; (b) disapprove the submission in whole or in part, notifying Respondent of deficiencies; or (c) a combination of the above. The results of Ohio EPA's review shall be in writing and provided to Respondent.

In the event of approval as is, Respondent shall proceed to take any action required by the submission as approved by Ohio EPA.

In the event that Ohio EPA initially disapproves a submission, in whole or in part, and notifies Respondent in writing of the deficiencies, Respondent shall within 14 days, or such longer period of time as specified by Ohio EPA in writing, address the deficiencies and submit a revised submission to Ohio EPA for approval. The revised submission shall address all of the deficiencies specified by Ohio EPA in its notice of disapproval. Revised submissions shall be accompanied by a letter indicating how and where each Ohio EPA comment was addressed in the submission. Any other changes made to the submission by Respondent shall also be identified in the letter.

In the event of approval of a revised submission, Respondent shall proceed to take any action required by the revised submission as approved by Ohio EPA consistent with the terms of this Order.

If Respondent fails to submit a revised submission addressing the deficiencies noted by Ohio EPA within 14 days, or such alternate period of time specified by Ohio EPA in writing, Respondent shall be considered in breach and/or violation of these Orders. If Respondent is in breach and/or violation of these Orders, Ohio EPA retains all rights it may have to enforce the terms of these Orders or any rule or statute and/or take any action it deems appropriate to protect human health or safety or the environment.

VIII. TERMINATION

Respondent's obligations under these Orders shall terminate when Respondent certifies in writing and demonstrates to the satisfaction of Ohio EPA that Respondent has performed all obligations under these Orders applicable up through the date of the certification and the Chief of Ohio EPA's Division of Materials and Waste Management acknowledges, in writing, the termination of these Orders. If Ohio EPA does not agree that all such obligations have been performed, then Ohio EPA will notify Respondent of the obligations that have not been performed, in which case Respondent shall have an opportunity to address any such deficiencies and seek termination as described above. Ohio EPA shall not unreasonably withhold termination of these Orders.

The certification shall contain the following attestation: "Sunny Farms Landfill LLC certifies that the information contained in or accompanying this certification is true, accurate and complete."

This certification shall be submitted by the Respondent to Ohio EPA and shall be signed by a responsible official of Respondent. For purposes of these Orders, a responsible official is the principal executive officer, the ranking elected official, or other duly authorized employee.

IX. OTHER CLAIMS

Nothing in these Orders shall constitute or be construed as a release from any claim, cause of action or demand in law or equity against any person, firm, partnership or corporation, not a party to these Orders, for any liability arising from, or related to, the operation of Respondent's Facility.

X. OTHER APPLICABLE LAWS

All actions required to be taken pursuant to these Orders shall be undertaken in accordance with the requirements of all applicable local, state and federal laws and regulations. These Orders do not waive or compromise the applicability and enforcement of any other statutes or regulations applicable to Respondent.

XI. MODIFICATIONS

These Orders may be modified by agreement of the parties hereto. Modifications shall be in writing and shall be effective on the date entered in the journal of the Director of Ohio EPA.

XII. NOTICE

All documents required to be submitted by Respondent pursuant to these Orders shall be addressed to:

Ohio Environmental Protection Agency
Northwest District Office
Division of Materials and Waste Management
347 North Dunbridge Road
Bowling Green, Ohio 43402

or to such persons and addresses as may hereafter be otherwise specified in writing by Ohio EPA.

Correspondence with Respondent related to these Orders will be sent to:

Sunny Farms Landfill LLC
12500 West County Road 18
Fostoria, Ohio 44830

with a copy to:

Kendra Sherman, Esq.
Squire Patton Boggs LLP
2000 Huntington Center
41 S. High Street
Columbus, Ohio 43215

John Lamanna, CEO
Tunnel Hill Partners, LP
8 Viaduct Rd.
Stamford, CT 06907

Matt Neely
Sunny Farms Landfill LLC
12500 W. County Road 18
Fostoria, OH 44830

or to such persons and addresses as may hereafter be otherwise specified in writing by Respondent.

XIII. RESERVATION OF RIGHTS

Ohio EPA reserves all rights, privileges, causes of action, and defenses. Ohio EPA specifically reserves the right to issue notices of violation for violations of OAC Rule 3745-27-19(B)(3) and/or 3745-27-19(B)(5) notwithstanding any other provisions of these Orders. Ohio EPA also reserves the right to require Respondent to undertake additional actions in future orders and the right to access a civil penalty in future actions.

Except as otherwise specifically waived in Section XIV of these Orders, Respondent reserves all rights, privileges, causes of action, and defenses.

XIV. WAIVER

Nothing in the Findings or in these Orders shall be considered to be an admission by Respondent of any law or fact. In order to resolve the disputed claims, without admission of fact, violation or liability, Respondent consents to the issuance of these Orders and agrees to comply with these Orders.

Respondent hereby waives the right to appeal the issuance, terms and conditions, and service of these Orders and Respondent hereby waives any and all rights Respondent may have to seek administrative or judicial review of these Orders either in law or equity.

Notwithstanding the preceding, Ohio EPA and Respondent agree that if these Orders are appealed by any other party to the Environmental Review Appeals Commission, or any court, Respondent retains the right to intervene and participate in such appeal. In such an event, Respondent shall continue to comply with these Orders notwithstanding such appeal and intervention unless these Orders are stayed, vacated or modified.

XV. EFFECTIVE DATE

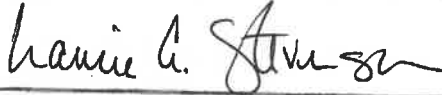
The effective date of these Orders is the date these Orders are entered into the Ohio EPA Director's journal.

XVI. SIGNATORY AUTHORITY

Each undersigned representative of a party to these Orders certifies that he or she is fully authorized to enter into these Orders and to legally bind such party to these Orders.

IT IS SO ORDERED AND AGREED:

Ohio Environmental Protection Agency



Laurie A. Stevenson
Director

IT IS SO AGREED:

Sunny Farms Landfill LLC



John Lamanna
CEO

1-31-19
Date

ATTACHMENT A

Attachment A



PHASE 1 (12/31/17)

PROPOSED FINAL COVER, SEE NOTE 1
ENHANCED TRANSITION COVER (ETC-1), SEE NOTE 1
ENHANCED TRANSITION COVER (ETC-2), SEE NOTE 1
PROPOSED LANDFILL GAS HEADUP/LATERAL AMBANDMENT
PROPOSED HORIZONTAL LFG COLLECTOR AMBANDMENT
PROPOSED ROTATE WELLHEAD AMBANDMENT
PROPOSED HORIZONTAL LFG COLLECTOR
PROPOSED LANDFILL GAS HEADUP/LATERAL
PROPOSED HORIZONTAL LFG COLLECTOR

PHASE 2

1) ENHANCED TRANSITIONAL COVER
2) DAMAGED TRANSITIONAL COVER
3) DAMAGED TRANSITIONAL COVER
4) DAMAGED TRANSITIONAL COVER
5) DAMAGED TRANSITIONAL COVER
6) DAMAGED TRANSITIONAL COVER
7) DAMAGED TRANSITIONAL COVER
8) DAMAGED TRANSITIONAL COVER
9) DAMAGED TRANSITIONAL COVER
10) DAMAGED TRANSITIONAL COVER

LEGEND

---	PROPERTY BOUNDARY
---	EXISTING SOLID WHITE BOUNDARY
---	EXISTING CELL BOUNDARY
---	10' CONTOUR, SEE NOTES 1, 2
---	5' CONTOUR, SEE NOTES 1, 2
---	EXISTING LANDFILL GAS HEADER
---	EXISTING HORIZONTAL LFG COLLECTOR
---	EXISTING LFG EXTRACTION WELL
---	EXISTING RELATE WELLHEAD
---	LFG ISOLATION VALVE
---	HEADER ACCESS RISER
---	CONDENSATE SWAMP
---	EXISTING BLAND FLANGE
---	EXISTING MACHATE CLEANOUT RISER

DATE	12/31/17
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cornerstone
A TETRA TECH COMPANY

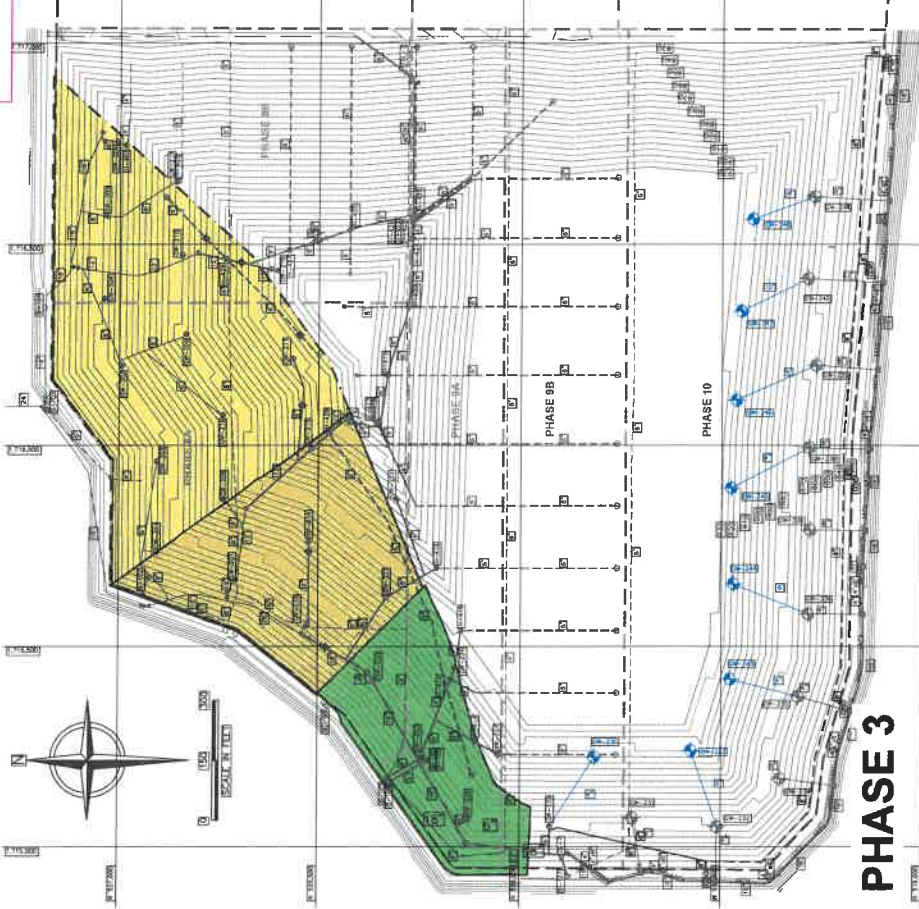
SUNNY FARMS LANDFILL, LLC
SUNNY FARMS LANDFILL
FOSTORIA, OHIO

PHASE 2 DEVELOPMENT PLAN
COVER AND GAS COLLECTION PHASING

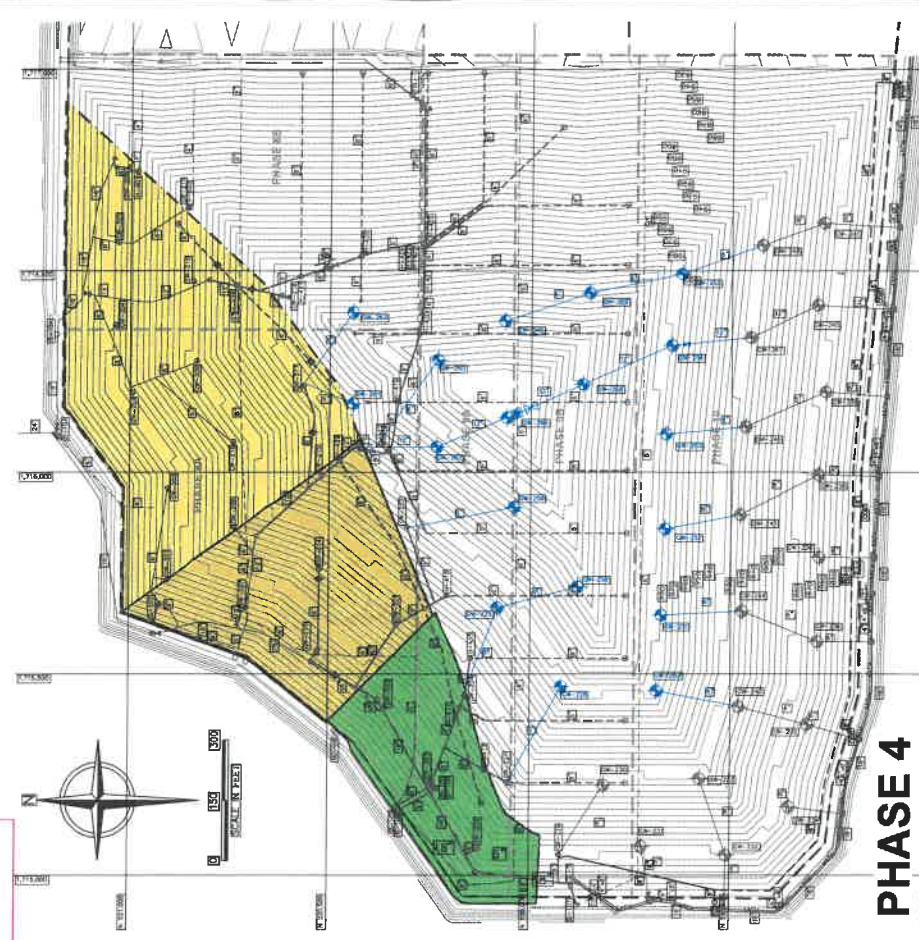
SHEET NO. **6C-1**
PROJECT NO. 10014

ATTACHMENT B

Attachment B



PHASE 3



PHASE 4

- LEGEND**
- PROPERTY BOUNDARY
 - EXISTING SOLID WASTE BOUNDARY
 - EXISTING CELL BOUNDARY
 - 10' CONTOUR, SEE NOTES 1, 2
 - 5' CONTOUR, SEE NOTES 1, 2
 - EXISTING LANDFILL GAS HEADER
 - EXISTING HORIZONTAL TFC COLLECTION
 - EXISTING REMOTE WELLHEAD
 - EXISTING REMOTE WALKWAY
 - EXISTING REMOTE VALVE
 - REMOTE ACCESS ROSES
 - CONDENSATE SUMP
 - EXISTING BUND FLANGES
 - EXISTING TEMPORARY DEBRIS TRENCH
 - PROPOSED FINAL COVER, SEE NOTE 1
 - ENHANCED TRANSITION COVER (ETC-1), SEE NOTE 2
 - ENHANCED TRANSITION COVER (ETC-2), SEE NOTE 3
 - PROPOSED LANDFILL GAS HEADER/LATERAL ABANDONMENT
 - PROPOSED HORIZONTAL TFC COLLECTION ABANDONMENT
 - PROPOSED REMOTE WELLHEAD ABANDONMENT
 - PROPOSED HORIZONTAL TFC COLLECTION
 - PROPOSED WELLS
 - ① ETC-2/1
 - ② ETC-2/2
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1.) ENHANCED TRANSITIONAL COVER
 THE FINAL CAP AREA, COMPRISED OF 4.17 ACRES HAS THE 18-INCH THICK SOIL BARRIER LAYER AND GEOMEMBRANE CONSTRUCTED. THE REMAINING PROTECTIVE SOIL AND VEGETATIVE LAYERS WILL BE CONSTRUCTED AND CERTIFIED IN EARLY 2019.
 THE PROPOSED ENHANCED TRANSITIONAL COVER, COMPRISED OF 24 INCHES OF WELL COMPACTED GRAVELY SAND, WITHIN THE BOUNDARIES OF 04-3745-27-00(01)(04) WITH A 40 ML LOOSE TEXTURED GEOMEMBRANE AND A TOP LAYER OF 6.5 0/20 REINFORCED, STABILIZED GEOTEXTILE WIND DEFLECTOR LAYER. THE PROPOSED GEOMEMBRANE WILL BE INSTALLED WITHIN THE BOUNDARIES OF 04-3745-27-00(01)(04) WITH A 40 ML LOOSE TEXTURED GEOMEMBRANE AND A TOP LAYER OF 6.5 0/20 REINFORCED, STABILIZED GEOTEXTILE WIND DEFLECTOR LAYER. THESE ARE TWO PROPOSED AREAS FOR ENHANCED TRANSITIONAL COVER DESIGNATED AS ETC-1 AND ETC-2. THE ETC-1 AREA (15.09 ACRES) HAS EXISTING INTERIM CLAYEY COVER SOIL IN PLACE AND REQUIRES A FIELD PROBING INVESTIGATION TO DETERMINE AND CORRECT THE 24 INCH TO ALL LOOSE TEXTURED GEOMEMBRANE AND WIND DEFLECTOR ESSENTIAL. THE ETC-2 AREA (11.26 ACRES) HAS EXISTING INTERIM CLAYEY COVER SOIL IN PLACE AND REQUIRES A FIELD PROBING INVESTIGATION TO DETERMINE AND CORRECT THE 24 INCH TO ALL LOOSE TEXTURED GEOMEMBRANE AND WIND DEFLECTOR ESSENTIAL. THE ETC-2 AREA WILL BE COMPACTED WITH A HEAVY ROLLER COMPACTOR TO ACHIEVE A WELL COMPACTED TRANSITIONAL FINAL COVER AND A PREPARED SURFACE FOR THE 40 ML LOOSE TEXTURED GEOMEMBRANE AND WIND DEFLECTOR. CONSTRUCTION QUALITY ASSURANCE OF THE GEOMEMBRANE AND WIND DEFLECTOR GEOTEXTILE FOR THE ENHANCED TRANSITIONAL COVER WILL BE PERFORMED BY THE INSULATOR WITH PERIODIC INSPECTIONS BY THE OWNER.

2.) GOCOS CONSTRUCTION PHASING
 THE PROPOSED GAS COLLECTION FEATURES IN 5-CROWN IN 2018 AND A CERTIFICATION REPORT FOR THE WILL BE SUBMITTED WITH 45-BUILT DRAINAGES BY APRIL 1, 2018.
 THE PROPOSED SOUTH GAS HEADER, LATERAL COLLECTION PIPES AND GAS WELLS WILL BE CONSTRUCTED BEGINNING ON 45-BUILT DRAINAGES BY APRIL 1, 2018, AND COMPLETED BY MAY 1, 2018, BASED ON APPROPRIATE GRADINGS ALONG THE SOUTH SLOPE OF PHASE 10. LOCATIONS OF PROPOSED COMPONENTS ARE APPROXIMATE, AND MAY CHANGE DUE TO FIELD CONDITIONS AT THE TIME OF CONSTRUCTION.

SECTION 6C-2
 SUNNY FARMS LANDFILL, LLO
 SUNNY FARMS LANDFILL
 FOSTORIA, OHIO

PHASE 10 DEVELOPMENT PLAN
 COVER AND GAS COLLECTION PHASING



DATE:	11/14/17
SCALE:	AS SHOWN
PROJECT NO.:	17-001
DATE:	11/14/17
SCALE:	AS SHOWN
PROJECT NO.:	17-001