



State of Ohio Environmental Protection Agency

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Mr. Paul Barley  
Sunny Farms Landfill, LLC  
P.O. Box 266  
Fostoria, Ohio 44830

**Re: Sunny Farms Landfill, Seneca County  
Alternative Daily Cover Request  
Decline to Grant Approval for "C&DD Residual Material"**

Dear Mr. Barley:

On September 23, 2004, the Ohio Environmental Protection Agency (Ohio EPA), Northwest District Office (NWDO), Division of Solid and Infectious Waste Management (DSIWM) received your written request, dated September 9, 2004, to use "C&DD residual material" from unspecified sources as an alternative daily cover material at the Sunny Farms Landfill (Facility). The request was reviewed pursuant to Ohio Administrative Code (OAC) Rule 3745-27-19(F)(3).

OAC Rule 3745-27-19(F)(3)(a) states that, "The director may approve solid waste to be used as alternative material for daily cover if the owner or operator can demonstrate to the satisfaction of the director that the solid waste material proposed for use can provide protection comparable to six inches of soil and is protective of human health and the environment. The owner or operator must obtain written approval to use solid waste for alternative daily cover prior to utilizing the solid waste."

OAC Rule 3745-27-19(F)(3)(b) states that, "The director may approve alternative materials, other than solid waste, and/or other thicknesses for daily cover if the owner or operator can demonstrate to the satisfaction of the director that the proposed alternative material and/or thickness provides protection that is comparable to six inches of soil and is protective of human health and the environment. The owner or operator must obtain written approval to use an alternative material and/or thickness for daily cover prior to utilizing the alternative material and/or thickness."

Based on the information received on September 23, 2004, Ohio EPA is unable to determine, due to the unknown origin and nature of the material, that "C&DD residual material" from unspecified sources will provide protection comparable to six inches of soil

or that this material is protective of human health and the environment. Therefore, I decline to

Bob Taft, Governor  
Jennette Bradley, Lieutenant Governor  
Joseph P. Koncelik, Director

Mr. Paul Barley, Sunny Farms Landfill  
ADC Decline  
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grant approval to use "C&DD residual material" from unspecified sources as alternative daily cover material at the Sunny Farms Landfill.

If you have questions concerning this letter, please contact Mary Ann Miller of Ohio EPA, NWDO at (419) 373-3060.

Sincerely,

Joseph P. Koncelik  
Director

JPK/JS/MM/sw

cc: Nicki Lucius, Seneca County Health Department  
Scott Hester, DSIWM, CO  
Ellen Gerber, DSIWM, NWDO  
Mary Ann Miller, DSIWM, NWDO