



State of Ohio Environmental Protection Agency

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March 11, 2009

Mr. Ed Brdicka
Sunny Farms Landfill, LLC
12386 Township Road 108
Fostoria, OH 44830

**Re: Sunny Farms Landfill, Seneca County
Rail C&DD Waste Photograph Plan Approval**

Dear Mr. Brdicka:

On September 11, 2008, the Ohio Environmental Protection Agency (Ohio EPA), Division of Solid and Infectious Waste Management (DSIWM), Northwest District Office (NWDO) received a document titled "Rail C&DD Waste Photograph Plan" and a nine sheet drawing set titled "Sunny Farms Landfill – Scale Tower & Control Room" (hereinafter collectively referred to as "RCWPP"). The RCWPP was submitted pursuant to a consent order (Case Number 07-CV-0694) filed in the Seneca County Court of Common Pleas on July 24, 2008. Specifically, Order 15 of the aforementioned consent order required submittal of the RCWPP.

Ohio EPA has reviewed the RCWPP and has determined that it meets the requirements of the July 24, 2008, consent order. Therefore, I hereby approve the RCWPP for the Sunny Farms Landfill (Facility). As part of this approval, the owner or operator is subject to the following conditions:

1. All activities shall be conducted in strict accordance with the plans, specifications, and information contained in the RCWPP submitted on September 11, 2008. There may be no deviation from the approved plans without prior written authorization from Ohio EPA.
2. All electronic data shall be submitted in Excel[®] format and contain the corresponding photograph file names/numbers. All photographs shall be compatible for viewing using Windows[®] Picture and Fax Viewer. Alternative electronic data and photograph formats may be used with prior written authorization from Ohio EPA.

Ted Strickland, Governor
Lee Fisher, Lieutenant Governor
Chris Korleski, Director

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3. If photographs taken in accordance with the RCWPP do not provide an adequate depiction of waste, or if other concerns are noted after the RCWPP is implemented, the owner or operator shall revise the RCWPP upon written notification from Ohio EPA, in accordance with the July 24, 2008, consent order.

You are hereby notified that this action of the Director of Ohio EPA (Director) is final and may be appealed to the Environmental Review Appeals Commission (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 30 days after notice of the Director's action. The appeal must be accompanied by a filing fee of \$70.00 which the Commission, in its discretion, may reduce if by affidavit you demonstrate 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 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 Commission at the following address:

Environmental Review Appeals Commission
309 South Fourth Street, Room 222
Columbus, Ohio 43215

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

Sincerely,

Chris Korleski
Director

cc: Jim Mohrman, Seneca County Health Department
Tyler Madeker, Ohio EPA-NWDO
Mike Reiser, Ohio EPA-NWDO
Scott Hester, Ohio EPA-CO
Carl Mussenden, Ohio EPA-CO