



John R. Kasich, Governor
Mary Taylor, Lt. Governor
Scott J. Nally, Director

February 8, 2013

CERTIFIED MAIL

Sunny Farms Landfill, LLC
12500 West County Road
Fostoria, OH 44830

RE: Permit to Install: Sunny Farms Landfill, LLC
PTI #676460
Non-Contiguous Lateral Expansion

Dear Sir or Madam:

The Ohio Environmental Protection Agency, pursuant to Ohio Administrative Code Rule 3745-27-02 and the rules adopted thereunder, has reviewed the application for a permit with accompanying detail plans, specifications and/or information (hereinafter referred to as "application") regarding the above-referenced facility. This application has been approved by the Director subject to the conditions of compliance contained in the permit approval enclosed herewith and with all applicable laws, rules and standards. All construction must be supervised by an engineer or expert qualified in such work. Because the permit approval contains conditions of compliance, I urge you to read it carefully.

You are requested to submit within thirty (30) days of the date of issuance of this Permit to Install, the required permit fee balance of thirty four thousand, six hundred dollars (\$80,000.00 - \$400.00 application fee = \$79,600.00), payable to **Treasurer, State of Ohio**. Please send the required payments to:

Ohio Environmental Protection Agency
Permit to Install Fee
Dept L-2711
Columbus, OH 43260-2711

Payment of the \$79,600.00 fee within 30 days is a requirement of ORC Sections 3745.11 (Q) and (V). Failure to timely submit the required permit fee will result in an assessment of late penalties.

Sunny Farms Landfill, LLC- PTI #676460


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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 Section 3745.04 of the Ohio Revised Code. The appeal must be in writing and set forth the action complained of and the grounds upon which the appeal is based. It must be filed with the Appeals 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 at the following address:

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

If you have any questions, please contact the Ohio EPA District Office to which you submitted your application.

Sincerely,



Brian Dearth
Processing and Records Management Unit
Division of Materials & Waste Management

Enclosures: Permit to Install and Invoice

cc: John Pasquarette, NWDO, DMWM
Scott Hester, CO, DMWM
Andy Drumm, NWDO, DMWM
Marjorie Broadhead, Seneca County General Health District

Ohio EPA Invoice/Receipt

Date Printed: February 08, 2013

Revenue ID: 922093

Please include this Revenue ID with all correspondence.

Organization ID: 78979

Information: Sunny Farms Landfill LLC
12386 Twp Rd 108
Fostoria, OH 44830-

Due Date: March 10, 2013

Amount Due: \$79,600.00

Effective Date: February 08, 2013

Revenue Description: DSIWM- Permit to Install (Solid Waste)

Program Name: Solid Waste Programs

Reason: PTI balance due fee

For some Revenues, Interest and/or Penalties may be charged for late payment.

Next Interest Date (if applicable):

Next Penalty Date (if applicable):

Remittance Advice

Detach Here - Please Return This Portion With Your Payment

Organization ID: 78979

Information: Sunny Farms Landfill LLC
12386 Twp Rd 108
Fostoria, OH 44830-

Due Date: Mar 10, 2013

Amount Due: \$79,600.00

Secondary Type/Id: /

Revenue Type: PTISW

Amount Enclosed: \$ _____

Please write this number on your check. Revenue ID: 922093

Make check or money order payable to "Treasurer, State of Ohio"

Remit to: Ohio Environmental Protection Agency - OFA

Department L-2711

Columbus, OH 43260-2711

For Ohio EPA use only

Check ID: _____

Check Date: _____

Check Number: _____

Check Amount: \$ _____

78979	Sunny Farms Landfill LLC	7960000	PTISW	922093
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**OHIO ENVIRONMENTAL PROTECTION AGENCY
PERMIT TO INSTALL**

Application Number: 676460
Application Received: October 28, 2008
Permit Fee: \$80,000.00
Permit Fee Balance: \$79,600.00

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

Facility: Sunny Farms Landfill

Location: From the intersection of US Route 224 and US Route 23, head north on US Route 23, turn left on County Road 18 for approximately 0.5 miles to the site entrance. The facility is within Loudon Township, Seneca County.

Permit: Non-Contiguous Lateral Expansion

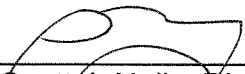
Issuance Date: FEB 08 2013

Effective Date: FEB 08 2013

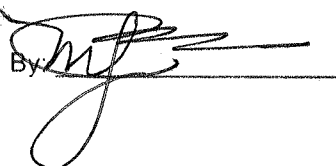
The above-named entity is hereby issued a permit to install (permit) for the above-described source pursuant to Ohio Administrative Code (OAC) Rule 3745-27-02. Issuance of this permit does not constitute expressed or implied approval or agreement that, if constructed and/or modified in accordance with the plans, specifications, and/or information accompanying the permit application, the above-described source of environmental pollutants will operate in compliance with applicable state and federal laws, rules, and regulations, and does not constitute expressed or implied assurances that, if constructed and/or modified in accordance with those plans, specifications, and/or information accompanying the permit application, the above-described source of environmental pollutants will be granted the necessary operating permits and/or licenses. This permit is issued subject to the attached conditions which are hereby incorporated and made a part hereof.

Ohio Environmental Protection Agency

I certify this to be a true and accurate copy of the official documents as filed in the records of the Ohio Environmental Protection Agency.



Scott J. Nally, Director

By:  _____ Date: 02.08.13

OHIO E.P.A.
FEB - 8 2013
ENTERED DIRECTOR'S JOURNAL

PERMIT SUMMARY

This FINAL permit to install (PTI Number 676460) authorizes a non-contiguous lateral expansion ("new unit") at the Sunny Farms Landfill (Facility), an existing municipal solid waste landfill in Seneca County. Sunny Farms Landfill, LLC is the applicant for the permit and is the operator of the Facility.

Specifically, this PTI authorizes a non-contiguous lateral expansion unit to the south of the existing landfill disposal area. It will create a net additional 32.3 million cubic yards of permitted airspace which increases the total disposal capacity at the Facility to 46.8 million cubic yards. The total acreage within the limits of waste placement will increase from 113 acres to 261.3 acres. The lateral expansion will extend the landfill's life to an estimated 10.2 years based on the AMDWR of 7,500 tons or to an estimated 19.2 years based on an anticipated average daily waste receipt of 4,000 tons.

The Facility's design includes a composite liner system (recompacted clay and a geomembrane liner), a leachate collection system, a surface water management system, a ground water monitoring system, an explosive gas monitoring system, an explosive gas extraction system, and a final closure cap system. The permit also incorporates 30 years of post-closure care and financial assurance for closure and post-closure care.

This permit grants one exemption, from OAC Rule 3745-27-07(H)(4)(d), which prohibits the limits of solid waste placement from being located within two hundred feet of surface waters. Specifically, the applicant wishes to preserve some wetlands outside of the limits of disturbance but within 200 feet of the limits of waste placement.

This summary is provided solely for informational purposes and does not constitute a part of, or otherwise affect, the attached permit.

PERMIT CONDITIONS

1. The Director of the Ohio Environmental Protection Agency (Ohio EPA), or an authorized representative, may enter upon the premises of the above-named applicant (permittee) at any reasonable time during construction and operation for the purpose of making inspections, conducting tests, or examining records or reports pertaining to the construction, modification, or installation of the above-described source of environmental pollutants (municipal solid waste disposal facility).
2. The Facility shall be constructed in strict accordance with the plans, specifications, and information submitted to Ohio EPA which constitute this permit. There shall

be no deviation from the approved permit or the permit conditions without the express, written approval of Ohio EPA. Any deviation from the approved permit or the permit conditions may lead to such sanctions and penalties as provided under Ohio law. Approval of this permit does not constitute an assurance that the Facility will operate in compliance with all Ohio laws and regulations. Additional landfill components shall be installed upon orders of Ohio EPA if the Facility is inadequate or cannot meet applicable standards.

3. Issuance of this permit does not relieve the permittee of the duty to comply with all applicable federal, state, and local laws, ordinances, and regulations.
4. This permit shall apply only to those facilities shown on the plans submitted as part of PTI Application Number 676460 received on October 28, 2008, with subsequent revisions received through December 19, 2012.
5. This permit may be modified, or alternatively revoked and reissued, to comply with any revisions to OAC Chapter 3745-27 applicable to this municipal solid waste disposal facility.
6. The permittee shall provide for the proper maintenance and operation of the Facility in accordance with the provisions of OAC Chapter 3745-27.
7. Nothing in this permit shall be construed to authorize any waiver from the requirements of any applicable federal or state laws or regulations except as specified herein. This permit shall not be interpreted to release the permittee from responsibility under Ohio Revised Code (ORC) Chapters 3704, 3714, 3734, or 6111; under the Federal Clean Water Act, the Resource Conservation and Recovery Act, or the Comprehensive Environmental Response, Compensation, and Liability Act; or from other applicable requirements for remedying conditions resulting from any release of contaminants to the environment.
8. This permit does not authorize the acceptance of any hazardous or infectious wastes, except for those excluded from hazardous or infectious waste regulation by ORC Chapter 3734.
9. This permit does not authorize the acceptance of any asbestos or asbestos-containing waste material that is subject to the provisions of NESHAP, 40 CFR Part 61, Subpart M. No such asbestos or asbestos-containing waste material may be accepted without first obtaining the necessary permits from Ohio EPA.
10. Not later than seven days prior to starting any construction authorized by this permit, the permittee shall submit to Ohio EPA, Northwest District Office (NWDO),

Division of Materials and Waste Management (DMWM) written notification of the anticipated construction start date so that construction of this unit can be routinely inspected by Ohio EPA, NWDO, DMWM or the Seneca County General Health District.

11. The permittee shall perform the following activities during construction and operation of the Facility in accordance with the cited provisions of OAC Chapter 3745-27 as follows:
 - a. The pre-construction tests required by OAC Rule 3745-27-08(D) shall be performed and the test results submitted to Ohio EPA, DMWM, NWDO not later than seven days prior to the intended use of the materials in construction.
 - b. The pre-construction interface tests required by OAC Rule 3745-27-08(G) shall be performed and the test results submitted to Ohio EPA, DMWM, NWDO not later than seven days prior to the use of each geosynthetic material authorized by this permit.
 - c. The construction certification report required by OAC Rule 3745-27-08(H) shall be submitted to Ohio EPA, DMWM, NWDO and the Seneca County General Health District not later than 45 days prior to the anticipated date of waste receipt in any newly constructed areas. Pursuant to OAC Rule 3745-27-19(C)(1), the permittee shall not accept waste in a phase until Ohio EPA, DMWM, NWDO provides written concurrence of the construction certification report for that phase.

12. The permittee shall provide for the following inspections and facility maintenance:
 - a. The permittee shall provide for daily inspection of the Facility and completion of the Municipal Solid Waste Landfill Daily Log of Operations, Form 3. Written results of the inspections, including any corrective actions taken, shall be made available to Ohio EPA or the Seneca County General Health District upon request.
 - b. Surface water control structures, including sedimentation ponds, sedimentation pond discharge structures, pipes, ditches, and culverts, shall be inspected at least monthly for erosion, clogging, or failure and prompt corrective action shall be taken if necessary. Written results of the inspections, including a discussion of any corrective actions taken, any water quality samples taken, and the date and weather conditions, shall be recorded on the required daily log forms. The information shall be

maintained on site and submitted to Ohio EPA, DMWM, NWDO or the Seneca County General Health District upon request.

- c. To ensure proper operation of the sedimentation pond(s), the pond(s) shall be cleaned out as necessary when the volume of the settled particles necessitates cleaning based on inspection results or to maintain the storage volume required by OAC Rule 3745-27-08(D)(3). Sedimentation ponds 2 and 4 shall be cleaned out based on the design calculations in Section (C)(5)(I) of the permit application.
13. The permittee shall fund a new financial assurance instrument or increase the amount listed on the existing financial assurance instrument in accordance with OAC Rules 3745-27-15, 3745-27-16, and 3745-27-17 for the current cost estimates of the facility, including the costs for the newly authorized disposal area. Funding shall be completed prior to waste acceptance in any disposal area newly authorized by this permit to install.
14. The permittee shall construct and fill the Facility in accordance with the 6-series drawings submitted as part of the PTI application and shall commence construction of the final cap system in accordance with the 6-series drawings, regardless of whether or not a phase has reached final elevations in all areas.
15. Construction certification reports for any constructed or repaired engineered component of the Facility shall be submitted to Ohio EPA, NWDO prior to April 1 of the year immediately following the construction or repair.
16. By January 1, 2016 and July 1, 2016, and twice per year thereafter, by January 1 and July 1, the permittee shall submit to Ohio EPA for review and concurrence an assessment (including surface emissions monitoring performed in accordance with Condition Number 22) on whether expansion of the Facility landfill gas collection and control system and/or the cap system is necessary in order to optimize the control of odors and the capture of landfill gas at the Facility. If a change is needed based on the assessment, the permittee shall include an alteration request within the assessment. Not later than thirty (30) days after receipt of Ohio EPA's written concurrence with any alteration based on the assessment, the permittee shall initiate installation of the expanded landfill gas collection system and/or cap system components.
17. By September 1, 2015, the permittee shall have the infrastructure in place to move gas collected from the new unit to a flare.

18. Not later than one hundred and twenty (120) days after issuance of this permit, the permittee shall submit to Ohio EPA, NWDO an alteration request that includes a gas collection and control system design plan that meets New Source Performance Standards (NSPS) for solid waste landfills. The alteration request shall also identify any additional gas collection methods that may be used in the gas collection system (e.g. horizontal collectors, surface collectors, or other extraction devices).
19. Not later than thirty (30) days prior to the construction of each sub-phase, an alteration request shall be submitted to Ohio EPA to document the complete design and implementation schedule for gas collection associated with the sub-phase. The alteration request shall incorporate some or all of the methods outlined in the permit in accordance with Condition Number 18.
20. Not later than thirty (30) days after issuance of this permit, the permittee shall submit to Ohio EPA an alteration request for an odor control blanket contingency plan including drawings that describe/depict how a 40 mil LLDPE, PVC liner, or equivalent would be used over filled areas of the Facility addressed by this permit but not yet to final grade in order to control odors.
21. A vacuum shall be drawn on each gas system component not later than when the waste served by that component is 2 years old.
22. Not later than two (2) years after the start of waste placement in Cell 8A and continuing thereafter, the permittee shall perform semiannual surface emissions monitoring in all areas that are vertically over waste that is two years old or older and uncapped with the exception of the working face and haul roads.

The permittee shall conduct surface emissions monitoring pursuant to 40 CFR 60.755(c) with the following exceptions:

- The exceedance methane concentration threshold shall be 250 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.
23. For the purpose of this Condition, "exceedance" means a methane concentration greater than or equal to 250 ppm or an H₂S concentration greater than or equal to 1 ppm obtained by Ohio EPA, the Seneca County General Health District, or the permittee during surface emission monitoring using a Jerome meter capable of accurately measuring H₂S at 5 ppb.

Not later than thirty (30) days after performing surface emission monitoring, the permittee shall submit to Ohio EPA the results on a plan drawing showing the approximate location of each monitoring location and methane and H₂S concentrations. If any exceedance occurs, the permittee shall complete corrective actions within the timeframes prescribed within 40 CFR 60.755(c) with the following modifications:

- a. Not later than seven (7) calendar days after detecting the exceedance, perform cap maintenance and/or make adjustments to the vacuum of the adjacent wells to increase gas collection in the vicinity of each exceedance and the location shall be re-monitored.
- b. If the re-monitoring of the location shows a second exceedance, additional corrective action (e.g. re-adjust the vacuum, perform additional cap maintenance, etc.) shall be taken and the location shall be monitored again not later than seven (7) days after the second exceedance.
- c. If the re-monitoring shows a third exceedance for the same location, the permittee shall, not later than seven (7) days after the third exceedance, identify and delineate the portion of the Facility in which the exceedance is located. Not later than forty five (45) days after the identification and delineation, the permittee shall do either of the following:
 - i. Install a new well or other collection device;
 - ii. Install an odor control blanket that covers the delineated area and that extends fifty feet beyond the delineated area in each direction, in accordance with the permit.

Not later than three (3) days after the third exceedance, the permittee 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, the permittee shall implement the alternative remedy and corresponding timeline in accordance with the concurrence.

24. Ohio EPA shall be notified not later than two (2) days prior to any soil sampling at the Facility and not later than two (2) days prior to any other repair to an existing engineered component.

25. The Facility's AMDWR is established to be 7,500 tons. The permittee shall not accept more than 7,500 tons of waste per day for disposal at the Facility. This tonnage includes both solid waste and exempt waste, including, but not limited to, construction and demolition debris.
26. A summary of each month's daily waste receipts and leachate generation volumes shall be submitted to Ohio EPA, DMWM, NWDO by the 15th day of the following month. The summary report shall include the day of the month with the corresponding tonnage and types of waste received for that day. In addition, the summary report shall include the monthly totals of in-district and out-of-district waste received for each category of the reported waste streams. The report shall also provide information regarding leachate transported off-site, including the date of transport, the volume transported, and the destination of the transported leachate.

END OF PERMIT CONDITIONS

Exemption From OAC Rule 3745-27-07(H)(4)(d)

The permittee has requested an exemption from OAC Rule 3745-27-07(H)(4)(d), which states, in part:

“Two hundred feet from surface waters.

The limits of solid waste placement of the sanitary landfill facility are not located within two hundred feet of areas determined by Ohio EPA or the United States Army Corps of Engineers to be a stream, lake, or wetland.”

The applicant has requested an exemption from the requirement prohibiting the limits of solid waste placement from being located within two hundred feet of surface waters. Specifically, the applicant wishes to preserve some wetlands outside of the limits of disturbance but within 200 feet of the limits of waste. The applicant has agreed to assess the wetlands prior to disturbance to determine baseline conditions. The wetlands will be monitored annually during construction and operation to ensure that the wetlands are not negatively impacted by landfill construction and operation.

The applicant also proposes to reroute an existing stream that runs through the property. Parts of the meanders of the rerouted stream will be within 200 feet of the limits of waste placement. Authorizations pursuant to Sections 401 and 404 of the Clean Water Act have been issued for the proposed stream rerouting.

Pursuant to ORC Section 3734.02(G) and OAC Rule 3745-27-03(B), the Director may, by order, exempt any person generating, collecting, storing, treating, disposing of, or transporting solid wastes, including scrap tires, from any requirement of ORC Chapter 3734 or any rules adopted thereunder if granting the exemption is unlikely to adversely affect the public health or safety or the environment.

Ohio EPA has reviewed the exemption request and has determined that granting an exemption from OAC Rule 3745-27-07(H)(4)(d) is unlikely to adversely affect the public health or safety or the environment. Therefore, pursuant to ORC Section 3734.02(G), the permittee is hereby exempted from OAC Rule 3745-27-07(H)(4)(d), which requires that the limits of solid waste placement of a sanitary landfill facility are not located within two hundred feet of areas determined by Ohio EPA or the United States Army Corps of Engineers to be a stream, lake, or wetland.

As part of this exemption, the permittee shall comply with the following:

1. The permittee shall visually monitor the stream mitigation channel and banks, including upstream and downstream, during years one, three, and five after final issuance of this permit.
2. The permittee shall notate signs of negative effects from the stream mitigation, such as excessive bank erosion, sedimentation, headcutting, aggradation, entrenchment, or degradation, and take appropriate corrective actions.

This exemption shall remain in effect throughout the effective period of this permit unless otherwise revoked.