



State of Ohio Environmental Protection Agency

STREET ADDRESS:

MAILING ADDRESS:

Lazarus Government Center
122 S. Front Street
Columbus, Ohio 43215

TELE: (614) 644-3020 FAX: (614) 644-3184
www.epa.state.oh.us

P.O. Box 1049
Columbus, Ohio 43216-1049

Mr. David Miller
Sunny Farms Landfill, LLC
P.O. Box 266
Fostoria, Ohio 44830

**Re: Sunny Farms Landfill, Seneca County
Temporary Approval of Alternative Daily Cover**

Dear Mr. Miller:

On March 18 and December 29, 2003, the Division of Solid and Infectious Waste Management (DSIWM) at the Ohio Environmental Protection Agency (Ohio EPA) Northwest District Office (NWDO) received written requests for authorization to use several types of tarp as alternative daily cover materials at the Sunny Farms Landfill (Facility) located in Seneca County in accordance with Ohio Administrative Code (OAC) Rule 3745-27-19(F)(3)(b).

OAC Rule 3745-27-19(F)(3)(b) states that "the director may approve alternative materials, other than solid waste, and/or 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."

In your written correspondence dated December 29, 2003, you requested permission to use VWPFR-12 manufactured by C.H. Hanson Company, WP1440FR manufactured by Cormier Textile Products, Covertwo and Coverthree manufactured by Engineered Textile Products, and Integra 12 FR manufactured by Integra Plastics, Inc., as alternative daily cover materials at the Facility. Ohio EPA recognizes that these materials may have the potential to provide protection comparable to six inches of soil as required by OAC Rule 3745-27-19(F)(3)(b). Therefore, pursuant to OAC Rule 3745-27-19(F)(3)(b), I hereby authorize Sunny Farms Landfill, LLC, to use the aforementioned tarps as an alternative to six (6) inches of soil for daily cover at the Facility for a trial period of 180 days after the effective date of this authorization.

As part of this temporary approval, Sunny Farms Landfill, LCC, is subject to the following conditions:

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Christopher Jones, Director

CONDITIONS

1. This authorization is limited to the use of the following tarps only: VWPFR-12 manufactured by C.H. Hanson Company; WP1440FR manufactured by Cormier Textile Products; Covertwo and Coverthree manufactured by Engineered Textile Products; and Integra 12 FR manufactured by Integra Plastics, Inc. (hereafter collectively referred to as tarps). No other alternative daily cover materials may be used at the Facility without prior authorization from Ohio EPA.
2. Sunny Farms Landfill, LLC, shall place one or more of the tarps listed above over exposed waste materials by the end of the working day, or more frequently if necessary, to control fire hazards, blowing litter, odors, dusts, insects, and rodents.
3. If inclement weather conditions render the placement or use of one or more of the tarps ineffective or otherwise unsatisfactory, Sunny Farms Landfill, LLC, shall temporarily revert to using conventional soil cover in accordance with OAC Rule 3745-27-19(F) until such conditions cease to exist. Under such circumstances, Sunny Farms Landfill, LLC, may apply another alternative daily cover material that has been approved for use at the Facility, provided that the alternative daily cover material is able to perform effectively under the inclement conditions.
4. If Sunny Farms Landfill, LLC, determines that one or more of the tarps is ineffective or, otherwise unsatisfactory under normal operating conditions, it shall immediately revert to using conventional soil cover in accordance with OAC Rule 3745-27-19(F). Under such circumstances, Sunny Farms Landfill, LLC, may apply another alternative daily cover material that has been approved for use at the Facility. Sunny Farms Landfill, LLC, shall verbally notify Ohio EPA, NWDO and the Seneca County Health Department of this action by the end of the next working day and shall submit written notification to Ohio EPA, NWDO within 14 calendar days. This notification is not necessary if the use of the alternative cover material ceases on a temporary basis in accordance with Condition Number 3, above.
5. If Ohio EPA or the Seneca County Health Department determines that the use of one or more of the tarps is ineffective or otherwise unsatisfactory under normal operating conditions, then permission to use the tarp(s) may be revoked upon written notification from the Director of Environmental Protection. Immediately upon such revocation, Sunny Farms Landfill, LLC, shall cease using the tarp(s) as alternative daily cover material at the Facility and shall revert to using conventional soil cover in accordance with OAC Rule 3745-27-19(F). Under such circumstances, Sunny Farms Landfill, LLC, may apply another alternative daily cover material that

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has been approved for use at the Facility.

6. Sunny Farms Landfill, LLC, shall not have more than 30,000 square feet of waste covered with alternative daily cover material at any one time. This maximum area applies to the use of the tarps alone or in combination with other alternative daily cover materials that the director has authorized to be used at the Facility.
7. Sunny Farms Landfill, LLC, shall promptly repair or replace the alternative daily cover material if it becomes frayed, torn, ripped, or otherwise rendered unusable and is, therefore, no longer able to serve its intended purpose.
8. Sunny Farms Landfill, LCC, shall not use the tarps as intermediate or final cover. Any solid waste disposal area that remains inactive for a period of seven days, and which has been covered with any of the tarps, shall be covered with at least six inches of soil in accordance with OAC Rule 3745-27-19(F) by the end of the seventh day. Prior to applying the soil cover, the tarps shall be removed or otherwise prepared as necessary prior to the placement of the next layer of waste so as not to impede the flow of leachate to the leachate management system.
9. Any scrap tires used by Sunny Farms Landfill, LLC, to secure the tarps must be managed in accordance with Chapter 3734 of the Ohio Revised Code (ORC) and the rules promulgated thereunder. Sunny Farms Landfill, LCC, shall comply with the requirements of OAC Rule 3745-27-78 for the storage of scrap tires to be used for the purpose of securing tarps.
10. The use and location of the tarp(s) shall be documented on Form 3 of the required daily logs. This documentation shall also include a map that shows where and when the tarps were utilized as alternative daily cover relative to the working face.
11. Not later than 120 days after the effective date of this approval, Sunny Farms Landfill, LLC, shall submit to Ohio EPA, NWDO a report comparing the effectiveness of tarps to conventional soil cover and other alternative daily cover materials that have been used at the Facility. If, as provided in Condition Number 4 or 5, above, Sunny Farms Landfill, LLC, ceases to use tarps prior to the end of the 180-day trial period, then the report shall be due not later than 30 days after use ceases. In either situation, the report shall contain, at a minimum, a discussion of the following items:
 - < the manufacturer and model number of each tarp used during the demonstration

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- < the number of days each tarp was used
 - < weather conditions at the time placement of the material was evaluated for effectiveness as daily cover
 - < number of days odors were detected
 - < presence of vectors, rodents, and insects
 - < any increase in blowing litter
 - < method(s) for controlling fire during use of alternative daily cover material.
12. Photographs of the working face shall be taken from at least two opposing sides after any of the tarps listed above have been applied. The type of tarp shall be identified with each photograph. At least four such series of photographs shall be taken for each type of tarp used during the 180-day trial period. These photographs shall be included in the report required by Condition Number 11, above.
13. This approval to use any of the tarps listed above will expire 180 days after its effective date. Sunny Farms Landfill, LLC, shall not use any of the tarps as alternative daily cover at the Facility after that date unless it requests and receives approval for continued use of the materials.
14. Nothing in this letter shall be construed to authorize any waiver from the requirements of any other applicable federal or state laws or regulations. This approval shall not be interpreted to release Sunny Farms Landfill, LLC, from responsibility under 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.

You are hereby notified that this action of the Director of Environmental Protection 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. It must be filed with the Commission within 30 days after notice of the director's action. A copy of the appeal must be served on the director within three (3) days of filing with the Commission. An appeal may be filed with the Commission at the following address:

Environmental Review Appeals Commission
309 South Fourth Street

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In the event that Sunny Farms Landfill, LLC, finds the use of any of the tarps listed above to be acceptable and wishes to continue to use the material(s) as alternative daily cover at the Facility beyond the 180-day trial period, authorization for on-going use is required. To avoid having to temporarily discontinue the use of these tarps, it is recommended that Sunny Farms Landfill, LLC, submit a request for this authorization at least 45 days prior to the end of the 180-day trial period.

If you have any questions regarding this approval, please contact Beth Skulina of Ohio EPA's NWDO at (419) 373-3141.

Sincerely,

Christopher Jones
Director

cc: Beth Skulina, DSIWM, NWDO
Scott Hester, DSIWM, CO
Seneca County Health Department

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Christopher Jones, Director

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