Randolph Farms Inc
600 Land Inc
Attn: Mr. Michael Balkema
Vice President
7256 West County Road 600 South
Modoc, Indiana 47358

Dear Mr. Balkema:

Re: Solid Waste Land Disposal Facility
Minor Modification
Randolph Farms Landfill
Randolph County
SW Program ID 68-01

Randolph Farms, Inc’s minor modification application for the Randolph Farms Landfill is approved. You, the permittee, must comply with Indiana’s rules for solid waste land disposal facilities (329 IAC 10) and the terms of this approval.

This minor modification allows the applicant to construct the following at the facility:

- A concrete storage structure to store approximately 540,000 gallons of leachate with two feet of freeboard;
- A recycling drop-off facility; and
- A truck Maintenance Shop.

Public records for your facility are available in IDEM’s Virtual File Cabinet at www.in.gov/idem. Documents related to this approval include the application dated July 22, 2019 (VFC #82813212).

You can review the Indiana Code (IC) and the Indiana Administrative Code (IAC) references in this document at jga.IN.gov. IC references are under the “Laws” link; IAC references are under the “Publications” link.

This approval does not: convey any property rights of any sort or any exclusive privileges; authorize any injury to any person or private property or invasion of other private rights or any infringement of federal, state, or local laws or regulations; or preempt any duty to comply with other state or local requirements (329 IAC 10-13-4(a)).
If you wish to appeal this decision, you must file a request for administrative review with the Office of Environmental Adjudication within 18 days after the postmark of this letter. The enclosed Notice of Decision notifies you of additional important details regarding the appeal process and your rights and responsibilities for filing an adequate and timely appeal.

If you have any questions, please contact Kira Wren, the permit manager assigned this facility, by dialing (317) 233-7090 or by e-mail at Kwren@idem.IN.gov.

Sincerely,

Rebecca Eifert Joniskan
Rebecca Eifert Joniskan, Chief
Permits Branch
Office of Land Quality

Enclosures: Permit Requirements
Notice of Decision
Guide to Appeals Process
Letter to Winchester Community Public Library
Letter to the The News Gazette

cc with enclosures: Randolph County Health Department
Randolph County Commissioners
Randolph County Solid Waste Management District
Mayor, City of Union City
Mayor, City of Winchester
President, Modoc Town Council
PERMIT REQUIREMENTS

The following permit requirements are in addition to or in replacement of the permit requirements of the facility’s permit renewal dated October 22, 2019 (VFC #82854616). **Note:** all page numbers are the page numbers of the PDF file referenced in the Virtual File Cabinet (VFC), not the original numbering of the document.

**B. CONSTRUCTION REQUIREMENTS**

The following requirements are added to Section B (Construction Requirements):

**B8.** The permittee must construct the concrete leachate storage tank as described in the minor permit modification application dated July 2019 (VFC #82813212, pp. 4-11 of 47), and the following drawings:


**B9.** The permittee must submit a certification of completion and a construction certification report (CCR) for the concrete leachate storage structure (CLSS) certified by an Indiana registered professional engineer to OLQ within 60 days after the construction of the tank. The CCR must certify the construction of the CLSS complies with the approved plans and specifications. At a minimum, the CCR must include the following:

a. The results of all tests conducted during the construction, if any;

b. Daily summary and inspection report during the construction;

c. Photo log;

d. Any deviation/changes from the approved system must be noted and explained in the report, if any; and

e. Final and/or updated as-built drawings.

**B10.** The permittee is authorized to construct a recycling drop-off pad (covered concrete pad) and a maintenance building as shown on the drawing titled, “Sheet 1 of 3 , 2019 Minor Modification Application, Site Plan With Proposed Concrete Tank & Recycling Facility,” dated July 2019 (VFC #82813212, p. 45 of 47).
D. OPERATIONAL REQUIREMENTS

The following requirements are added to Section D (Operational Requirements):

D13. The permittee must check the leak detection manhole as a part of the landfill's self-inspection after the concrete leachate storage tank is operational as described in the minor permit modification application dated July 2019 (VFC #82813212, Section 2.7, p. 9 of 47). The permittee must test the perimeter drain discharge water in accordance with 329 IAC 10-15-10(4) and the facility's approved leak detection plan and include the results in the semi-annual ground water monitoring reports.

D14. The permittee is approved to operate the recycling drop-off facility as described in the minor permit modification application dated July 2019 (VFC #82813212, Section 3.0, p. 12 of 47) and as shown on the drawing titled “Sheet 1 of 3, 2019 Minor Modification Application, Site Plan with Proposed Concrete Tank & Recycling Facility,” dated July 2019 (VFC #82813212, p. 45 of 47).

F. GROUND WATER MONITORING REQUIREMENTS

The following requirement is added to Section F (Ground Water Monitoring Requirements):

F11. The permittee must include the analytical and field parameters results, field sheets, and chain-of-custody forms associated with the semiannual perimeter drain discharge water tests in the facility’s semiannual ground water monitoring reports described in Requirement F6, along with an electronic data file containing the results as described in Requirement F7.

K. COMPLIANCE SCHEDULE

The following requirement is added to Section K (Compliance Requirements):

K1. The permittee must submit a revised Methane Monitoring Plan (MMP) for approval incorporating dedicated, full-time, explosive gas monitoring devices in occupied, enclosed structures within the facility’s property boundaries located on the south side of the landfill. The permittee must submit the revision within 60 days after receiving IDEM’s approval letter for the facility’s July 2019 Minor Modification (VFC # 82813212). This submittal must include one original paper copy and one PDF electronic file.
NOTICE OF DECISION

The Indiana Department of Environmental Management (IDEM) issued a permit decision for the Randolph Farms Landfill (SW Program ID 66-01) at 7256 W 600 S. This minor modification to a solid waste disposal facility permit, allows the permittee, Randolph Farms, Inc., to modify their existing facility in Randolph County to construct a concrete storage structure, a recycling drop-off facility, and a truck maintenance shop. The permit is available for review at:

Winchester Community Public Library, 125 North East Street, Winchester, 47394-1698 and
The final decision is also available online via IDEM's Virtual File Cabinet (VFC). Please go to: http://vfc.idem.in.gov/. You can search there for approval documents using a variety of criteria.

APPEAL PROCEDURES

If you wish to challenge this decision, IC 13-15-6-1 and IC 4-21.5-3-7 require that you file a Petition for Administrative Review. If you seek to have the effectiveness of the permit stayed during the Administrative Review, you must also file a Petition for Stay. The Petition(s) must be submitted to the Office of Environmental Adjudication (OEA) at the following address within 15 days of the date of newspaper publication of this Notice:

Office of Environmental Adjudication
Indiana Government Center North, Room N103
100 North Senate Avenue
Indianapolis, IN 46204

The Petition(s) must include facts demonstrating that you are either the applicant, a person aggrieved or adversely affected by the decision, or otherwise entitled to review by law. Identifying the permit, decision, or order for which you seek review by permit number, name of the applicant, location, or date of this notice will expedite review of the petition. Additionally, IC 13-15-6-2 and 315 IAC 1-3-2 require that your Petition include:
1. the name, address, and telephone number of the person making the request;
2. the interest of the person making the request;
3. identification of any persons represented by the person making the request;
4. the reasons, with particularity, for the request;
5. the issues, with particularity, for the request;
6. identification of the terms and conditions which, in the judgment of the person making the request, would be appropriate in the case in question to satisfy the requirements of the law governing documents of the type granted or denied by the Commissioner's action; and
7. a copy of the pertinent portions of the permit, decision, or order for which you seek review, at a minimum, the portion of the Commissioner's action that identifies the person to whom the action is directed and the identification number of the action.

Pursuant to IC 4-21.5-3-1(f), any document serving as a petition for review or review and stay must be filed with the OEA. Filing of such a document is complete on the earliest of the following dates:
1. the date on which the petition is delivered to the OEA;
2. the date of the postmark on the envelope containing the petition, if the petition is mailed to the OEA by United States mail; or
3. the date on which the petition is deposited with a private carrier, as shown by a receipt issued by the carrier, if the petition is sent to the OEA by private carrier.

In order to assist permit staff in tracking any appeals of the decision, please provide a copy of your petition to Kira Wren, IDEM, Solid Waste Permits, IGCN 1154, 100 North Senate Ave., Indianapolis, IN 46204-2251.

The OEA will provide you with notice of any pre-hearing conferences, preliminary hearings, hearings, stays, or orders regarding this decision if you submit a written request to the OEA. If you do not provide a written request to the OEA, you will no longer be notified of any proceedings pertaining to this decision.

More information on the review process is available at the website for the Office of Environmental Adjudication at http://www.in.gov/oea.
**TO:** Legal Ads  
**COMPANY:** Winchester News Gazette  
Randolph County

**TELEPHONE NUMBER:** (765)584-4501  
**FAX NUMBER:** (765)584-3066  
**E-MAIL:** ngoffice@comcast.net

**COMMENTS:**

To Whom It May Concern:

Please insert for one time only the enclosed legal notice, in the Winchester News Gazette, on 11/1/2019.

If there is an additional charge to post this notice on your web site, please DO NOT post.

As we understand it, you will provide us with a notarized form (publishers claim) and clippings showing the date on which the advertisement appeared in your paper. This information should be mailed to Diane Poe at the following address:

dpoel@idem.IN.gov or

Diane Poe  
Indiana Department of Environmental Management  
Office of Land Quality  
Permits Branch  
IGCN Room 1101  
100 North Senate Avenue  
Indianapolis, Indiana 46204-2251

Please contact Diane Poe at (317) 232-4473 or dpoel@idem.IN.gov or John Hale at (317) 232-9971 or jhale@idem.IN.gov if you have any questions. Thank you for your cooperation.
October 28, 2019

Winchester Community Public Library
125 North East Street
Winchester, Indiana 47394-1698

Re: Documents for Public View

Dear Sir/Madam:

A copy of a permit decision for the Randolph Farms Landfill is enclosed. Also enclosed is a copy of the public notice announcing this permit decision and indicating the documents' availability at your library. This public notice will appear in a local newspaper soon. Please make these documents available to the public for the next 20 days since this permit can be appealed.

Please date and sign the enclosed verification of receipt form and mail it to our office in the envelope provided.

If you have any questions or comments about the permit notice, please contact me by dialing (317) 233-7090 or by e-mail at Kwren@idem.IN.gov.

Sincerely,

[Signature]

Kira Wren
Solid Waste Permits Section
Office of Land Quality

Enclosures: Notice of Decision
Permit Letter
Verification of Receipt Form
Agency Addressed Envelope

cc with enclosures: Randolph County Health Department
Randolph County Commissioners
Randolph County Solid Waste Management District
Mayor, City of Winchester; Union City
President, Modoc Town Council

An Equal Opportunity Employer
VERIFICATION OF RECEIPT OF PUBLIC REVIEW MATERIALS

NAME OF LIBRARY AND LOCATION:

Winchester Community Public Library
125 North East Street
Winchester, Indiana 47394-1698

FACILITY NAME AND LOCATION:

Randolph Farms Landfill
7256 W 600 S
Randolph County, Indiana

MATERIALS RECEIVED:

Notice of Decision
Permit Letter
Agency Addressed Envelope

DATE RECEIVED/MADE AVAILABLE TO THE PUBLIC:

________________________________________

SIGNATURE OF RECEIVING PARTY:

________________________________________ Date:_________

PLEASE RETURN THIS VERIFICATION IN THE ENCLOSED STAMPED, SELF-ADDRESSED ENVELOPE.
NOTICE OF DECISION

The Indiana Department of Environmental Management (IDEM) issued a permit decision for the Randolph Farms Landfill (SW Program ID 69-01) at 7256 W 600 S. This minor modification to a solid waste land disposal facility permit, allows the permittee, Randolph Farms, Inc., to modify their existing facility in Randolph County to construct a concrete storage structure, a recycling drop-off facility, and a truck maintenance shop. The permit is available for review at:

Winchester Community Public Library, 125 North East Street, Winchester, 47394-1698 and The final decision is also available online via IDEM’s Virtual File Cabinet (VFC). Please go to: http://vfc.idem.in.gov. You can search there for approval documents using a variety of criteria.

APPEAL PROCEDURES

If you wish to challenge this decision, IC 13-15-6-1 and IC 4-21.5-3-7 require that you file a Petition for Administrative Review. If you seek to have the effectiveness of the permit stayed during the Administrative Review, you must also file a Petition for Stay. The Petition(s) must be submitted to the Office of Environmental Adjudication (OEA) at the following address within 15 days of the date of newspaper publication of this Notice:

Office of Environmental Adjudication
Indiana Government Center North, Room N103
100 North Senate Avenue
Indianapolis, IN 46204

The Petition(s) must include facts demonstrating that you are either the applicant, a person aggrieved or adversely affected by the decision, or otherwise entitled to review by law. Identifying the permit, decision, or other order for which you seek review by permit number, name of the applicant, location, or date of this notice will expedite review of the petition. Additionally, IC 13-15-6-2 and 315 IAC 1-3-2 require that your Petition include:

1. the name, address, and telephone number of the person making the request;
2. the interest of the person making the request;
3. identification of any persons represented by the person making the request;
4. the reasons, with particularity, for the request;
5. the issues, with particularity, for the request;
6. identification of the terms and conditions which, in the judgment of the person making the request, would be appropriate in the case in question to satisfy the requirements of the law governing documents of the type granted or denied by the Commissioner’s action; and
7. a copy of the pertinent portions of the permit, decision, or other order for which you seek review, at a minimum, the portion of the Commissioner’s action that identifies the person to whom the action is directed and the identification number of the action.

Pursuant to IC 4-21.5-3-1(f), any document serving as a petition for review or review and stay must be filed with the OEA. Filing of such a document is complete on the earliest of the following dates:

1. the date on which the petition is delivered to the OEA;
2. the date of the postmark on the envelope containing the petition, if the petition is mailed to the OEA by United States mail; or
3. the date on which the petition is deposited with a private carrier, as shown by a receipt issued by the carrier, if the petition is sent to the OEA by private carrier.

In order to assist permit staff in tracking any appeals of the decision, please provide a copy of your petition to Kira Wren, IDEM, Solid Waste Permits, IGCN 1154, 100 North Senate Ave., Indianapolis, IN 46204-2251.

The OEA will provide you with notice of any pre-hearing conferences, preliminary hearings, hearings, stays, or orders regarding this decision if you submit a written request to the OEA. If you do not provide a written request to the OEA, you will no longer be notified of any proceedings pertaining to this decision.

More information on the review process is available at the website for the Office of Environmental Adjudication at http://www.in.gov/oea.
What if you are not satisfied with this decision and you want to file an appeal?

Who may file an appeal?
The decision described in the accompanying Notice of Decision may be administratively appealed. Filing an appeal is formally known as filing a “Petition for Administrative Review” to request an “administrative hearing”.

If you object to this decision issued by the Indiana Department of Environmental Management (IDEM) and are: 1) the person to whom the decision was directed, 2) a party specified by law as being eligible to appeal, or 3) aggrieved or adversely affected by the decision, you are entitled to file an appeal. (An aggrieved and adversely affected person is one who would be considered by the court to be negatively impacted by the decision. If you file an appeal because you feel that you are aggrieved, it will be up to you to demonstrate in your appeal how you are directly impacted in a negative way by the decision).

The Indiana Office of Environmental Adjudication (OEA) was established by state law – see Indiana Code (IC) 4-21.5-7 -- and is a separate state agency independent of IDEM. The jurisdiction of the OEA is limited to the review of environmental pollution concerns or any alleged technical or legal deficiencies associated with the IDEM decision making process. Once your request has been received by OEA, your appeal may be considered by an Environmental Law Judge.

What is required of persons filing an appeal?
Filing an appeal is a legal proceeding, so it is suggested that you consult with an attorney. Your request for an appeal must include your name and address and identify your interest in the decision (or, if you are representing someone else, his or her name and address and their interest in the decision). In addition, please include a photocopy of the accompanying Notice of Decision or list the permit number and name of the applicant, or responsible party, in your letter.

Before a hearing is granted, you must identify the reason for the appeal request and the issues proposed for consideration at the hearing. You also must identify the permit terms and conditions that, in your judgment, would appropriately satisfy the requirements of law with respect to the IDEM decision being appealed. That is, you must suggest an alternative to the language in the permit (or other order, or decision) being appealed, and your suggested changes must be consistent with all applicable laws (See Indiana Code 13-15-6-2) and rules (See Title 315 of the Indiana Administrative Code, or 315 IAC).
The effective date of this agency action is stated on the accompanying Notice of Decision (or other IDEM decision notice). If you file a “Petition for Administrative Review” (appeal), you may wish to specifically request that the action be “stayed” (temporarily halted) because most appeals do not allow for an automatic “stay”. If, after an evidentiary hearing, a “stay” is granted, the IDEM-approved action may be halted altogether, or only allowed to continue in part, until a final decision has been made regarding the appeal. However, if the action is not “stayed” the IDEM-approved activity will be allowed to continue during the appeal process.

Where can you file an appeal?
If you wish to file an appeal, you must do so in writing. There are no standard forms to fill out and submit, so you must state your case in a letter (called a petition for administrative review) to the Indiana Office of Environmental Adjudication (OEA). Do not send the original copy of your appeal request to IDEM. Instead, send or deliver your letter to:

The Indiana Office of Environmental Adjudication
100 North Senate Avenue, Room N103
Indianapolis, IN 46204

If you file an appeal, also please send a copy of your appeal letter to the IDEM contact person identified in the Notice of Decision, and to the applicant (person receiving an IDEM permit, or other approval).

Your appeal (petition for administrative review) must be received by the Office of Environmental Adjudication in a timely manner. The due date for filing an appeal may be given, or the method for calculating it explained, on the accompanying Notice of Decision (NOD). Generally appeals must be filed within 18 days of the mailing date of the NOD. To ensure that you meet this filing requirement, your appeal request must be:
1) Delivered in person to OEA, by the close-of-business on the eighteenth day (if the 18th day falls on a day when the Office of Environmental Adjudication (OEA) is closed for the weekend or for a state holiday, then your petition will be accepted on the next business day on which OEA is open), or
2) Given to a private carrier who will deliver it to the OEA on your behalf, (and from whom you must obtain a receipt dated on or before the 18th day), or
3) For those appeal requests sent by U.S. Mail, your letter must be postmarked by no later than midnight of the 18th day, or
4) Faxed to the OEA at (317) 233-9372 before the close-of-business on the 18th day, provided that the original signed “Petition for Administrative Review” is also sent, or delivered, to the OEA in a timely manner.

What are the costs associated with filing an appeal?
The OEA does not charge a fee for filing documents for an administrative review or for the use of its hearing facilities. However, OEA does charge a fifteen cent ($0.15) per page fee for copies of any documents you may request. Another cost that could be associated with Your appeal would be for attorney’s fees. Although you have the option to act as your own
Attorney, the administrative review and associated hearing are complex legal proceedings; therefore, you should consider whether your interests would be better represented by an experienced attorney.

What can you expect from the Office of Environmental Adjudication (OEA) after you file for an appeal?
The OEA will provide you with notice of any prehearing conference, preliminary hearings, hearings, "stays," or orders disposing of the review of this decision. In addition, you may contact the OEA by phone at (317) 233-0850 with any scheduling questions. However, technical questions should be directed to the IDEM contact person listed on the Notice of Decision.

Do not expect to discuss details of your case with OEA other than in a formal setting such as a prehearing conference, a formal hearing, or a settlement conference. The OEA is not allowed to discuss a case without all side being present. All parties to the proceeding are expected to appear at the initial prehearing conference.