



Mike DeWine, Governor
Jon Husted, Lt. Governor
Laurie A. Stevenson, Director

March 12, 2019

Kimble Company
3956 State Route 39 NW
Dover, OH 44622

**Re: Kimble Transfer & Recycling
Permit - Long Term
Approval
Municipal Solid Waste Transfer Facilities
Medina County
SWTF021639**

**Re: Kimble Transfer & Recycling
Permit - Long Term
Variance
Municipal Solid Waste Transfer Facilities
Medina County
SWTF021639**

Ohio EPA MAR 12 '19
Entered Directors Journal

Subject: Final Permit to Install Application for Kimble Transfer & Recycling

Dear Madam or Sir:

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 two thousand one hundred dollars (\$2,500.00 - \$400.00 application fee = \$2,100.00), plus a variance fee balance of fifteen dollars (15.00) payable to **Treasurer, State of Ohio**. Please send the required payment to:

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


Payment of the fee balance 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.

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 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. The appeal must be filed with the 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 with the Environmental Review Appeals Commission at the following address:

Environmental Review Appeals Commission
30 East Broad Street, 4th Floor
Columbus, Ohio 43215

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

Sincerely,

A handwritten signature in dark ink, appearing to read "Greg Nichols", written over a light blue horizontal line.

Gregory Nichols,
Division of Materials and Waste Management

Enclosure

cc: Jeremy Carroll, DMWM, CO
Megan Ujvari, DMWM, CO
Kelly Smith, DMWM, CO
Jerry Parker, DMWM, NEDO
Applicable Health District

OHIO ENVIRONMENTAL PROTECTION AGENCY

PERMIT-TO-INSTALL

Application Number: 1092551
Application Received: July 18, 2016
Permit Fee: \$2,500.00
Permit Fee Balance: \$2,100.00
Variance Fee: \$15.00
Variance Fee Balance: \$15.00

Applicant: Kimble Company
Address: 3956 State Route 39 NW
City, State, Zip: Dover, OH 44622

Ohio EPA MAR 12 '19
Entered Directors Journal

Facility: Kimble Transfer & Recycling - Liverpool
Address: 804 Steel Drive
City, State, Zip: Valley City, Liverpool Township, Medina County, Ohio 44280

Permit: New Facility

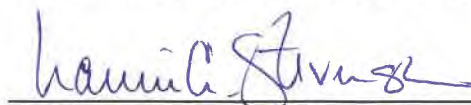
Issuance Date: MARCH 12, 2019

Effective Date: MARCH 12, 2019

The above-named entity is hereby issued a permit-to-install (permit) for the above-described source pursuant to Ohio Administrative Code (OAC) Rule 3745-555-10. 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.

In accordance with Ohio Revised Code (ORC) Section 3734.44, the applicant has exhibited sufficient reliability, expertise, and competency to operate the solid waste facility. This determination is made based upon review of the disclosure statements submitted pursuant to ORC Section 3734.42

Ohio Environmental Protection Agency



Laurie A. Stevenson, Director

PERMIT SUMMARY

This permit (Permit Number 1092551) authorizes the construction of the Kimble Transfer & Recycling - Liverpool (Transfer Facility) located at 804 Steel Drive, Valley City, Liverpool Township, Medina, Ohio. Kimble Company (Kimble) is the owner and operator of the Transfer Facility and is the permit applicant. The Transfer Facility has been designed in accordance with OAC Chapter 3745-555.

The Transfer Facility will be housed in a converted former steel processing building that operated on a 21-acre property. The Transfer Facility will receive, handle, and transfer solid waste and recyclables from municipal, commercial, and private haulers. Solid waste will be deposited directly onto the waste handling area, consolidated, and reloaded into transfer trailers for transport to other licensed solid waste disposal facilities. The recycling area will consist of processing equipment to sort recyclables to be sold. Both the waste handling area and the recycling area have the same square footage: 44,166.

Kimble documented that an existing surface water impoundment is approximately 154 feet from the northwest corner of the waste handling area. Ohio EPA, Northeast District Office (NEDO), Division of Surface Water (DSW) determined that the impoundment is considered "surface waters of the state." Kimble, therefore, has requested a variance from OAC Rule 3745-555-150.

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 EPA (Director), 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 (Solid Waste Transfer Facility).
2. The proposed Transfer Facility shall be constructed in strict accordance with the plans, specifications, and information submitted as part of the application for this permit. There may be no deviation from the approved permit or the permit conditions without the express, written approval of the Ohio Environmental Protection Agency (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 these plans does not constitute an assurance that the proposed Transfer Facility will operate in compliance with all Ohio laws and regulations. Additional facilities shall be installed upon orders of Ohio EPA if the proposed Transfer 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 the Transfer Facility shown on the plans submitted as part of Permit Number 1092551, received July 18, 2016 and as revised through December 4, 2018.
5. This permit may be modified, or alternatively revoked and reissued, to comply with any revisions to OAC Chapter 3745-555 applicable to this Transfer Facility.
6. The owner or operator shall provide for the proper maintenance and operation of the Transfer Facility in accordance with the provisions of OAC Chapter 3745-555.
7. This permit does not authorize the acceptance of any hazardous or infectious waste, except for those excluded from hazardous or infectious waste regulation by ORC Chapter 3734.
8. 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.
9. This permit does not authorize the acceptance of whole or shredded scrap tires or dedicated loads of source-separated yard waste unless the whole or shredded scrap tires or dedicated loads of source-separated yard waste are managed in accordance with OAC Rules 3745-555-650(G)(8) and (G)(10) or are transferred to another state for management in accordance with the laws of that state.
10. Not later than 30 days after permit issuance, the permittee shall execute and fully fund a financial assurance instrument which meets the requirements of OAC Rules 3745-503-05 and 3745-503-20 for the cost estimates included in the permit.
11. 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 approval shall not be interpreted to release Kimble 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.

**END OF PERMIT CONDITIONS
VARIANCE**

Pursuant to ORC Section 3734.02(A), and OAC Rules 3745-555-20(A)(2) and 3745-500-210, the director may grant a variance if the applicant demonstrates to the director's

satisfaction that construction, operation, closure activities, and/or post-closure activities of the solid waste facility in the manner approved by the variance and any terms and conditions imposed as part of the variance will not create a nuisance or a hazard to public health or safety or the environment and is unlikely to result in a violation of any other requirements of ORC Chapters 3704, 3714, 3734, and 6111 and any rules adopted thereunder.

Variance from OAC Rule 3745-555-150

OAC Rule 3745-555-150 requires the waste handling area of the solid waste transfer facility not be located within 200 feet of any surface waters of the state as defined in OAC Rule 3745-1-02 in existence on the date Ohio EPA receives the permit application.

Kimble documented that an existing surface water impoundment is approximately 154 feet from the northwest corner of the waste handling area. Ohio EPA, NEDO, DSW determined that the impoundment is "surface waters of the state." Kimble, therefore, has requested a variance from OAC Rule 3745-555-150.

The building is fully enclosed to prevent any blowing litter from entering the impoundment. Also, the facility includes interior and exterior leachate collection drains which eliminate leachate from leaving the waste handling area. The area that does not meet the 200 feet setback is a very small part of a large waste handling area. This area will be used for staging and loading transfer trucks, not waste storage.

Ohio EPA has reviewed the variance request and has determined that granting a variance from OAC Rule 3745-555-150 will not create a nuisance or a hazard to public health or safety or the environment and is unlikely to result in a violation of any other requirements of ORC Chapters 3704, 3714, 3734, and 6111 and any rules adopted thereunder. Therefore, pursuant to ORC Section 3734.02(A), and OAC Rules 3745-555-20(A)(2) and 3745-500-210, the permittee is hereby granted a variance from OAC Rule 3745-555-150. This variance shall remain in effect throughout the effective period of this permit unless otherwise revoked.

END OF VARIANCE