



John R. Kasich, Governor
Mary Taylor, Lt. Governor
Craig W. Butler, Director

AUGUST 11, 2015

Ms. Roberta Paolo
20 Miamiview Lane
Loveland, Ohio 45140

Re: Granny's Garden School, Inc.
Director's Authorization
Composting
Hamilton County
CM021014

**Subject: Granny's Garden School, Inc., Hamilton County
Ohio Revised Code (ORC) Section 3734.02(A) Variance**

Dear Ms. Paolo:

On July 6, 2015, the Ohio Environmental Protection Agency (Ohio EPA) Division of Materials and Waste Management (DMWM), Southwest District Office (SWDO) received a variance request from Roberta Paolo (Owner) on behalf of Granny's Garden School, Inc. (GGs) in order to establish a Class IV Composting Facility (Facility) at 600 Loveland Madeira Road (site), Loveland, Ohio in Hamilton County. The Owner submitted the request pursuant to OAC Rule 3745-500-210, seeking a variance from the siting criterion found in OAC Rule 3745-560-400(C)(1)(a).

GGs has submitted an application to establish a Class IV Composting Facility at the site. OAC Rule 3745-560-400(C)(1)(a) requires that the materials placement area and leachate management structures of a Class IV Composting Facility shall not be located within two hundred feet from any surface waters of the state. The application identified an intermittent stream approximately 50 feet from the proposed Facility's material placement area.

GGs has previously conducted leaf composting at the site in an area smaller than the regulatory threshold of 300 square feet of aggregate area. The proposed Class IV Composting Facility is approximately 5,000 square feet in area. The materials handling area is located between an uphill wooded area and a paved parking lot. Water run-on and run-off are controlled by soil berms placed up slope and down slope of the materials handling area. The intermittent stream, though within approximately 50 feet of the materials handling area, runs at a higher elevation than the materials handling area, making it impossible for run-off from the Facility to impact the stream. Site conditions also make it unlikely for overflow from the stream to impact the Facility as flow is within a well-defined channel.

Pursuant to Ohio Revised Code (ORC) Section 3734.02(A), the director shall grant a variance only if the applicant demonstrates to the director's satisfaction that construction and operation of the solid waste facility in the manner allowed by the variance and any terms or

OHIO EPA
AUG 11 2015
DIVISION OF MATERIALS AND WASTE MANAGEMENT

Ms. Roberta Paolo
Granny's Garden School, Inc.
Page 2 of 2

conditions imposed as part of the variance will not create a nuisance or a hazard to the public health or safety or the environment.

Upon review of the variance request, I have determined that granting the variance will not create a nuisance or 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, or 6111 and rules adopted thereunder.

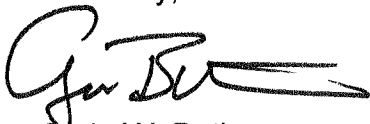
Therefore, Granny's Garden School, Inc. is hereby granted a variance, pursuant to ORC Section 3734.02(A) and OAC Rule 3745-500-210, from OAC Rule 3745-560-400(C)(1)(a) which requires that the materials placement area and leachate management structures of the Facility be located not less than two hundred feet from any surface waters of the state. The Facility shall be constructed as specified in the information submitted with the request and the Class IV registration application. This variance shall remain in effect throughout the effective period of this registration unless otherwise revoked.

You are hereby notified that this action of the Director is final and may be appealed to the Environmental Review Appeals 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 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
77 South High Street, 17th Floor
Columbus, Ohio 43215

If you have any questions concerning this action, please contact Maria Lammers, DMWM, SWDO at (937) 285-6046.

Sincerely,



Craig W. Butler
Director

cc: Tracy Buchanan, DMWM, SWDO
Chuck DeJonckheere, Hamilton County Public Health