



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

OHIO E.P.A.

MAY -3 2016

ENTERED DIRECTOR'S JOURNAL

MAY 03 2016

Mr. David Andre
Econopia, LLC
355 Meadow Lane
Springfield, Ohio 45505

Re: The Econopian Hub at Turkey Run
Non-Permit Related Variance
Approval
Composting
Franklin County
CM021329

**Subject: The Econopian Hub at Turkey Run, Franklin County
Ohio Administrative Code (OAC) Rule 3745-500-210(C) Variance**

Dear Mr. Andre:

On January 26, 2016, the Ohio Environmental Protection Agency (Ohio EPA), Division of Materials and Waste Management (DMWM), Central District Office (CDO) received a request dated January 22, 2016 from Econopia, LLC (Econopia) for The Econopian Hub at Turkey Run (Facility), a proposed new Class II composting facility utilizing an in-vessel composting system at DNO Produce, Inc. located at 3650 E 5th Avenue, Columbus, Ohio in Franklin County. Econopia submitted the request, pursuant to OAC Rule 3745-27-03(C), seeking a variance from the siting requirement of OAC Rule 3745-560-200(D)(1)(a).

OAC Rule 3745-560-200(D)(1)(a) requires that the materials placement area and leachate management structures of a Class II compost facility shall not be located within two hundred feet from any surface waters of the state. The in-vessel composting system is proposed to be located within 15 feet of Turkey Run.

Pursuant to Ohio Revised Code (ORC) Section 3734.02(A) and OAC Rule 3745-500-210(C), the Director may grant a variance if he determines that construction, operation, closure activities and/or post-closure activities, in the manner approved by the variance and any terms or conditions imposed as part of 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, and 6111 and the rules adopted thereunder.

As indicated in Econopia's January 22, 2016 request, the proposed Facility will utilize an in-vessel composting system that will be tied directly into the city sewer system so that any leachate produced will drain directly to it. In addition, all incoming materials will be managed in sealed containers and/or under roof, minimizing exposure to stormwater.

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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.

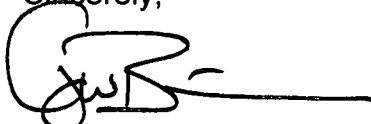
Therefore, Econopia is hereby granted a variance, pursuant to ORC Section 3734.02(A) and OAC Rule 3745-500-210(C), from the requirement of OAC Rule 3745-560-200(D)(1)(a) that the Facility not be located within two hundred feet of any surface waters of the state. As a condition of the variance, Econopia shall submit to Ohio EPA, Division of Surface Water (DSW), Attn: Mr. Harry Kallipolitis, a storm water pollution prevention plan with acceptable spill contingencies. Econopia shall not begin construction of the Facility within 200 feet of any surface waters of the state until Ohio EPA, DSW had provided written approval of the storm water pollution prevention plan. This variance shall remain in effect throughout the operating life of the Facility 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 Kelsey Gregston, DMWM, CDO at (614) 779-0099.

Sincerely,



Craig W. Butler
Director

cc: Adam Holbrook – Columbus Public Health