



OHIO EPA
John R. Kasich, Governor
Mary Taylor, Lt. Governor
Craig W. Butler, Director
JUL 17 2016
ENTERED DIRECTOR'S JOURNAL

July 7, 2016

City of Portsmouth
Attn: Derek Allen
720 Second Street
Portsmouth, Ohio 45662

**Re: City of Portsmouth Solid Waste Transfer
Permit - Long Term
Approval
Municipal Solid Waste Transfer Facility
Scioto County
SWTF019442**

**Re: City of Portsmouth Solid Waste Transfer
Permit - Long Term
Exemption
Municipal Solid Waste Transfer Facility
Scioto County
SWTF019442**

Subject: Final Permit to Install Application and Exemption for City of Portsmouth

Dear Mr. Allen:

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. No Response to Comments.

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 - \$100.00 application fee = \$2,100.00), 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

Mr. Derek Allen
City of Portsmouth Transfer Facility
Page 2

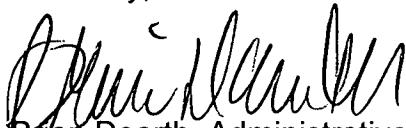
Payment of the \$2,100.00 fee within 30 days is a requirement of ORC Sections 3745.11 (Q) and (V). Failure to timely submit the required permit fee will result in an assessment of late penalties.

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
77 South High Street 17th Floor
Columbus, Ohio 43215

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

Sincerely,



Brian Dearth, Administrative Officer 1
Division of Materials and Waste Management

Enclosure

ec: Brad Mitchell, DMWM, CO
Scott Hester, DMWM, CO
Fanny Haritos, DMWM, CO
Jeremy Carroll, DMWM, CO
Craig Walkenspaw, DMWM, SEDO
Rich Fox, DMWM, SEDO
Joe Goicochea, DMWM SEDO
Sara Anderson, DMWM SEDO

OHIO ENVIRONMENTAL PROTECTION AGENCY

PERMIT TO INSTALL

Application Number: 06-08452
Application Received: October 19, 2015
Permit Fee: \$2,500.00
Permit Fee Balance: \$2,100.00

Applicant: City of Portsmouth
Address: 728 Second Street
Portsmouth, Ohio 45662

Facility: City of Portsmouth - Solid Waste Transfer Station

Location: 620 Elm Street
Portsmouth, Ohio 45662

PTI: New Solid Waste Transfer Facility


Issuance Date: July 7, 2016

Effective Date: July 7, 2016

The above-named entity is hereby issued a permit-to-install (permit) for the above-described source pursuant to Ohio Administrative Code (OAC) Rule 3745-27-02. 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



Craig W. Butler, Director

PERMIT SUMMARY

This Permit-to-Install (PTI Number 06-08452) authorizes the establishment of the City of Portsmouth – Solid Waste Transfer Station (Facility) located at 620 Elm Street, Portsmouth, Ohio in Scioto County. The City of Portsmouth (City) is the PTI Applicant and will operate the Facility.

The solid waste transfer facility was constructed in 1993 and began operations as an “exempt transfer station,” which consisted solely of portable containers with an aggregate volume of 50 cubic yards or less. Due to a change in operations, the City was required to obtain permit to install to continue operations at the proposed Facility in accordance with OAC Rule 3745-27-21.

The proposed Facility is located on approximately 1.09 acres of city-owned land and is within a mixed commercial and residential area. The waste handling areas are contained within a 50-foot by 50-foot building and include an elevated tipping floor and a lower semi-trailer loading bay. The leachate discharge is served by a city sanitary sewer line. The Facility has truck scales.

This PTI grants the City an exemption from OAC Rule 3745-27-22(K), which requires that the waste handling areas of a solid waste transfer facility are not located within 250 feet of a domicile in existence on the date of receipt of the PTI Application by the Ohio Environmental Protection Agency (Ohio EPA).

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 Ohio EPA, 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. 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.
3. The proposed Facility shall be constructed in strict accordance with the plans, specifications, and information submitted to Ohio EPA which constitute this permit. There shall be no deviation from the approved permit or permit conditions without

the express, written approval of 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 Facility will operate in compliance with all Ohio laws and regulations. Additional facility components shall be installed upon orders of Ohio EPA if the proposed Facility is inadequate or cannot meet applicable standards.

4. This permit shall apply only to the Facility shown on the plans, specifications, and information submitted as part of PTI Application Number 06-08452, received October 19, 2015.
5. This permit may be modified, or alternatively revoked and reissued, by the Director of Ohio EPA to comply with any revisions to OAC Chapter 3745-27 applicable to this solid waste transfer facility.
6. The permittee shall provide for the proper maintenance and operation of the Facility in accordance with the provisions of OAC Chapter 3745-27.
7. 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 shall not be interpreted to release the permittee 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.
8. This permit does not authorize the acceptance of any hazardous or infectious wastes, except for those excluded from hazardous or infectious waste regulation by ORC Chapter 3734.
9. 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. No such asbestos or asbestos-containing waste material may be accepted without first obtaining the necessary permits from Ohio EPA.
10. This permit does not authorize the acceptance of whole or shredded scrap tires for transfer to a disposal facility unless they are to be transferred to a scrap tire collection, storage, recovery, monocell, or monofill facility licensed in accordance with OAC Chapter 3745-27, or to a licensed solid waste incinerator.
11. This permit does not authorize the acceptance of yard waste, source-separated yard waste, or mixed yard waste for transfer to a disposal facility unless source

separated yard waste will be transferred to a composting facility registered or licensed in accordance with OAC Chapter 3745-27.

12. The permittee shall provide for the following inspections and maintenance of the solid waste transfer facility:
 - a. The permittee shall provide for the daily inspection of the solid waste transfer facility and completion of the Solid Waste Transfer Facility Daily Log of Operations, Form 3. Written results of the inspections, including any corrective measures taken, shall be made available to Ohio EPA, Southeast District Office (SEDO), upon request.
 - b. Surface water control structures, including catch basins, storm sewers, ditches and storm sewer discharge structures shall be inspected at least monthly for erosion, clogging, or failure and prompt corrective action shall be taken if necessary. Written results of the inspections, including any corrective actions taken, any water quality samples taken, the date, and weather conditions, shall be made available to Ohio EPA, SEDO upon request.
13. Not later than two hundred seventy (270) days after the effective date of this permit, the permittee shall comply with applicable OAC requirements for financial assurance for closure of the Facility.
14. Prior to license issuance, the permittee shall post signage providing clear instructions for use of the Facility, in accordance with OAC Rule 2745-27-23(G).
15. Prior to license issuance, the permittee shall submit a construction certification report establishing that the solid waste transfer facility was constructed in compliance with the approved permit, in accordance with OAC Rule 3745-27-23(D)(1).

END OF PERMIT CONDITIONS

ORC Section 3734.02(G) Exemption from OAC Rule 3745-27-22(K)

The permittee has requested an exemption from OAC Rule 3745-27-22(K), which requires that the waste handling areas of a solid waste transfer facility are not located within 250 feet of a domicile in existence on the date of receipt of the PTI Application by Ohio EPA.

The permittee has identified one two-family, two-story house (708 Elm Street, Portsmouth) within 250 feet of the waste handling areas, which was built in 1970. The house is approximately 180 feet northwest of the solid waste transfer facility's waste handling area. Its lower level was the offices of Shawnee Sanitation, a local solid waste hauler, but the offices now appear to be vacant. Its upper level is a self-contained residential apartment, which appears to be occupied as observed from active electric, natural gas, and city trash services. The property's owner is Mr. George Crumm who reportedly owns Shawnee Sanitation.

Since beginning its operations in 1993, the Facility and the house have co-existed within the mixed commercial and residential area. Mr. Crumm purchased the house in 1995, two years after the transfer station began its operations. There are no known environmental-related complaints from Mr. Crumm regarding the Facility. Mr. Crumm did not attend, nor did any other concerned citizens attend, the required applicant's public meeting, which was held on December 2, 2015.

Pursuant to ORC Section 3734.02(G) and OAC Rule 3745-27-03(B), the Director may, by order, exempt any person generating, collecting, storing, treating, disposing of, or transporting solid wastes, or processing solid wastes that consist of scrap tires, in such quantities or under such circumstances that, in the determination of the director, are unlikely to adversely affect the public health or safety or the environment from any requirement to obtain a registration certificate, permit, or license or comply with other requirements of ORC Chapter 3734.

Ohio EPA has reviewed the exemption request and has determined that granting an exemption from OAC Rule 3745-27-22(K) is unlikely to adversely affect the public health or safety or the environment. Therefore, pursuant to ORC Section 3734.02(G) and OAC 3745-27-03(B), the permittee is hereby granted an exemption from OAC Rule 3745-27-22(K) to allow the Facility's waste handling areas to be located within 250 feet of the existing domicile located at 708 Elm Street in Portsmouth, Ohio. This exemption shall remain in effect throughout the effective period of this permit unless otherwise revoked.