



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

SEPTEMBER 5, 2017

Mr. Patrick Jeffers
City of Ravenna
530 North Freedom Street
PO Box 1215
Ravenna, OH 44266

**Re: Lake Ave Transfer Facility
Non-permit Related Variance
Approval
Composting
Portage County
CM010886**

**Subject: Lake Ave Transfer Facility, Portage County
Ohio Revised Code (ORC) Section 3734.02(A) Variance**

Ohio EPA SEP 5 '17
Entered Directors Journal

Dear Mr. Jeffers:

On July 27, 2017, the Ohio Environmental Protection Agency (Ohio EPA), Division of Materials and Waste Management (DMWM), Northeast District Office (NEDO) received a variance request from you on behalf of the City of Ravenna for the Lake Ave Transfer Facility, a proposed Class IV composting facility located across from 565 E. Lake Avenue, Ravenna, Portage County. The request was submitted pursuant to Ohio Administrative Code (OAC) Rule 3745-500-210, seeking a variance from the siting criterion found in OAC Rule 3745-560-400(C)(1)(a).

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. OAC Rule 3745-560-02(M)(1) defines *materials placement area* as "any area of the composting facility where compost products, solid wastes, feedstocks, bulking agents, or additives are received, placed, processed, or stored."

The City of Ravenna has requested a variance in order to process and store raw materials and finished compost products in an area located within 50 feet from an unnamed, intermittent stream and potential wetlands which are identified as surface waters of the state. The materials placement area is proposed to be surrounded by a two-foot high earthen berm.

On May 16, 2017, Ohio EPA and Portage County Combined General Health District staff conducted a site visit to assess and confirm site conditions and provide technical assistance to the City of Ravenna. The site visit identified surface waters of the state that, due to site limitations, would be located within 200 feet from the proposed materials placement area.

Based on the discussion during the site visit on May 16, 2017, and the variance request submitted on July 27, 2017, the City of Ravenna has proposed to place a two-foot high berm around the compost area to prevent off-site drainage from crossing the site and to keep compost leachate on-site. Additionally, a 10-foot grass filter strip will be placed in front of the berm on the south side of the site (adjacent to the stream and wetlands) to assist with improving water quality.

Pursuant to Ohio Revised Code (ORC) Section 3734.02(A) and OAC Rule 3745-500-210, the director shall grant a variance only if the applicant demonstrates to the director's satisfaction that construction, operation, and closure activities of the solid waste facility, in the manner allowed by the variance, and any terms or conditions imposed as part of the variance will not create a nuisance or a hazard to the public health or safety or the environment nor be likely to result in a violation of ORC Chapters 3704, 3714, 3734, and 6111 and the rules adopted thereunder.

Upon review of the variance request, I have determined that construction, operation, and closure activities of the Lake Ave Transfer Facility Class IV composting facility, in the manner allowed by the variance and any terms and conditions imposed as part of the variance, will not create a nuisance or hazard to public health or safety or the environment nor be likely to result in a violation of ORC Chapters 3704, 3714, 3734, and 6111 and the rules adopted thereunder. Therefore, Lake Ave Transfer Facility 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 a Class IV composting facility shall not be located within two hundred feet from any surface waters of the state. The proposed materials placement area shall be constructed and maintained as specified in the variance request and the Class IV registration application. This variance shall remain in effect throughout the effective period of Lake Ave Transfer Facility's registration unless otherwise revoked.

You are hereby notified that this action of the Director of the Ohio Environmental Protection Agency 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
30 East Broad Street, 4th Floor
Columbus, Ohio 43215

If you have any questions concerning this letter, please contact Joshua Adams, DMWM, NEDO at (330) 963-1103.

Sincerely,

A handwritten signature in black ink, appearing to read 'Craig W. Butler', written over a circular stamp or mark.

Craig W. Butler
Director

CWB:JA:cla

ec: Jarnal Singh, Ohio EPA, NEDO, DMWM
Molly Sunkle, Ohio EPA, NEDO, DSW
Joe Loucek, Ohio EPA, NEDO, DSW
Adam Cummins, Ohio EPA, Central Office, DMWM
Jack Madved, Portage County Combined General Health District