



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

August 28, 2018

Kimble Company  
3956 State Route 39 NW  
Dover, OH 44622

**Re: Kimble Transfer & Recycling  
Permit - Long Term  
Approval  
Municipal Solid Waste Landfills  
Carroll County  
SWTF018374**

**Re: Kimble Transfer & Recycling  
Permit - Long Term  
Variance  
Municipal Solid Waste Landfill  
Carroll County  
SWTF018374**

**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,



Gregory Nichols,  
Division of Materials and Waste Management

Enclosure

cc: Jeremy Carroll, DMWM, CO  
Scott Hester, DMWM, CO  
Jerry Parker, DMWM, NEDO  
Applicable Health District

# OHIO ENVIRONMENTAL PROTECTION AGENCY

## PERMIT TO INSTALL

Application Number: 1209337  
Application Received: December 19, 2017  
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, Ohio 44622

Facility: Kimble Transfer & Recycling – Carrollton

Location: 2403 Chase Road SE  
Carrollton, Ohio 44615

Permit: Expansion

**Issuance Date:** AUGUST 28, 2018

**Effective Date:** AUGUST 28, 2018

Ohio EPA AUG 28 '18  
Entered Directors Journal

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.

Ohio Environmental Protection Agency



Craig W. Butler, Director

### **PTI SUMMARY**

This permit approval (PTI No. 1209337) authorizes the modification of Kimble Transfer & Recycling - Carrollton (Transfer Facility) located at 2403 Chase Road SE, Carrollton, Carroll County, Ohio. Kimble Company (Kimble) is the owner and operator of the Transfer Facility and is the PTI applicant. The Transfer Facility has been designed in accordance with OAC Chapter 3745-555.

This permit authorizes the expansion of the Facility building and waste handling area by approximately six feet. The Transfer Facility will continue to receive, handle, and transfer solid waste and recyclables from municipal, commercial and private haulers. Solid waste will be deposited directly onto the tipping floor, consolidated, and reloaded into transfer trailers for transport to the Kimble Sanitary Landfill in Dover, Tuscarawas County, Ohio. The recyclables are sorted and transferred to Kimble Transfer & Recycling in Twinsburg, Summit County, Ohio.

This permit grants Kimble a variance from OAC Rule 3745-555-150, which requires that the waste handling area of the solid waste transfer facility shall not be located within 200 feet of any surface waters of the state.

This summary is provided solely for informational purposes and does not constitute a part of, or otherwise affect, the attached permit.

### **PTI CONDITIONS**

1. The Director of 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 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 Transfer Facility will operate in compliance with all Ohio laws and regulations. Additional facilities shall be installed upon orders of Ohio EPA if the Transfer Facility is inadequate or cannot meet applicable standards.
3. Issuance of this permit to install 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 PTI application number 1209337, received December 19, 2017 and as revised through June 25, 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. The permittee shall fund a new financial assurance instrument or increase the amount listed on the existing financial assurance instrument in accordance with OAC Rules 3745-503-05 and 3745-503-20 for the current cost estimates of the facility, including any increased costs resulting from the newly expanded waste handling area. Funding shall be completed not later than thirty (30) days after the effective date of this permit.
11. The permittee shall comply with the requirements of all previously-issued authorizing documents for the Facility, except, to the extent that this permit specifies requirements different from, or in addition to, the requirements of those previously-issued authorizing documents, the permittee shall comply with this permit. This permit, and the conditions herein, shall take precedence over any conflicting requirements.
12. 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 that the waste handling area of the solid waste transfer facility shall 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 to install application.

Kimble documented that an unnamed tributary is approximately 193 feet from the southeast corner of the waste handling area. Ohio EPA determined that this tributary is a "surface water 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 tributary. In addition, both the interior and the exterior of the facility are sloped toward leachate collection drains, which eliminates any leachate being discharged to the tributary. Also, the tributary drains a small area and receives minimal flow, primarily from rainfall events.

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**