



Mike DeWine, Governor
Jon Husted, Lt. Governor
Laurie A. Stevenson, Director

JANUARY 17, 2019

John Kurtz
Kurtz Bros., Inc.
6415 Granger Rd.
Independence, OH 44131

**Re: Kurtz Bros Inc
Director's Authorization
Approval
Composting
Lorain County
CM010788**

Subject: August 24, 2018 Director's Final Findings and Orders - Design and Operational Plan Approval

Ohio EPA JAN 17 '19
Entered Directors Journal

Dear Mr. Kurtz:

On October 9, 2018, the Ohio Environmental Protection Agency (Ohio EPA), Northeast District Office (NEDO) received the Design and Operational Plan for the Kurtz Bros., Inc. – Avon Production Facility class IV composting facility (Facility) located at 1180 Miller Road, Avon, Lorain County. The Design and Operational Plan was submitted by Kurtz Bros., Inc. in response to Order No. 3 of the August 24, 2018, Director's Final Findings and Orders.

Order No. 3 requires the Design and Operational Plan to contain details describing the Facility and the operational controls used to maintain aerobic conditions in all materials and leachate at the Facility.

Ohio EPA has reviewed the Design and Operational Plan and determined it complies with the requirements contained in Order No. 3 of the August 24, 2018, Director's Final Findings and Orders. Specifically, the Design and Operational Plan includes the following:

1. Locations of materials and pond(s) at the Facility;
2. Processes for managing incoming and on-site materials, surface water and leachate;
3. Maximum pile sizes and configurations;
4. Surface water and leachate control structures;
5. Materials management methods and the equipment available to manage all materials in a manner that promotes aerobic conditions;
6. Methods for preventing prohibited material acceptance;
7. Provisions for aerating the North Pond continuously;
8. Provisions for mixing and covering incoming raw yard waste with high carbon oversized material.

Therefore, I hereby approve the Design and Operational Plan to be implemented at the

Facility. Should future operations result anaerobic conditions and/or nuisance odors, a revision of the Design and Operational Plan may be required to address such conditions.

This approval shall not be construed to release the owner or operator from the obligation to comply with any other requirements concerning the proper management of waste, leachate or surface water at the Facility.

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 St., 4th Floor
Columbus, Ohio 43215

If you have any questions concerning this letter, please contact Katharina Snyder, Ohio EPA, Northeast District Office at (330) 963-1257.

Sincerely,



Laurie A. Stevenson
Director

ec: Lynn Sowers, Manager, DMWM/NEDO
Matt Malone, mattm@Kkurtz-Bros.com
Tom Blackford, tblackford@loraincountyhealth.com