

Mansfield, Mark

From: Stanley, Roy <rstanley@cecinc.com>
Sent: Friday, August 10, 2012 11:34 AM
To: robert.reiter@wasteabate.org
Cc: Daryl Heiser [dheiser@weavertown.com] (dheiser@weavertown.com); Fox, Rich; 'mark.mansfield@epa.state.oh.us'; Eric Meduho [emeduho@weavertown.com] (emeduho@weavertown.com)
Subject: Weavertown Transfer Station

Rob,
It was nice to speak to you today regarding the Weavertown Transport Leasing (WTL) Solid Waste Transfer Station to be located in Grandview Township, Washington County, Ohio. Ohio EPA SEDO has indicated that the SouthEastern Ohio Joint Solid Waste Management District has authority to review Solid Waste PTI Applications. Please send me a copy of your rules package for our review.

Please let me know if you need anything from me to facilitate compliance with your SWM District requirements.

Thanks,

Roy

Roy A. Stanley / Project Manager

Civil & Environmental Consultants, Inc.

8740 Orion Place, Suite 100 · Columbus, Ohio 43240

Toll-Free: 888-598-6808 · Direct: (614) 545-1260 · Fax: 614-540-6638

Mobile: 614-425-6324 · <http://www.cecinc.com>

Senior Leadership · Integrated Services · Personal Business Relationships

This electronic communication and any attachments are intended solely for the use of the person or entity to which it is addressed, and may contain information that is confidential, privileged and exempt from disclosure under applicable law, including copyright law. If you are not the intended recipient of this message, you are prohibited from disclosing, reproducing, distributing, disseminating or otherwise using this transmission. Please promptly notify the sender by reply electronic communication and immediately delete this message from your system.

Mansfield, Mark

From: Robert Reiter <robert.reiter@wasteabate.org>
Sent: Friday, August 10, 2012 9:51 AM
To: Mansfield, Mark
Subject: Weavertown Transfer Facility - Washington County
Attachments: RULES.DOC

Hello Mark,

Attached are the Rules adopted by the District's Board of Directors & Policy Committee regarding the Construction of Transfer & Disposal Facility construction and modification for your review. I have a call in to Daryl Heiser at Weavertown regarding the same.

The rules are part of the District's Approved Solid Waste Management Plan.

Thanks,

Rob

_____ Information from ESET NOD32 Antivirus, version of virus signature database 7373 (20120810) _____

The message was checked by ESET NOD32 Antivirus.

<http://www.eset.com>

SouthEastern Ohio Joint Solid Waste Management District

O.R.C. 343.01 (F) (2) Rules

CONTENTS

	<u>PAGE</u>
Rule 1.0 Definitions	2, 3
Rule 2.0 Waste Restrictions and Inspections	
(A) Waste Restrictions	4
(B) Inspections	4
Rule 3.0 Construction, Enlargement, or Modification of Solid Waste Facilities	
(A) Approval by Board of Directors	5
(B) Information to be Provided	5
(C) Determination of Compliance	6
(D) Notice and Comment	7
(E) Public Hearing	7
(F) Notice of Decision	7
(G) Supervision of Construction, Enlargement or Modification	7, 8
(H) Fees	8
Rule 4.0 Reporting Requirements	
(A) Solid Waste Transfer, Landfill, Incineration, and Resource Recovery Facilities	9
(B) Recycling Facilities	9, 10
Rule 5.0 Recycling Facilities	
(A) Statement of Goals	11
(B) Registration	11
(C) Revocation of Registration	11
Rule 6.0 Waste Haulers	12
Rule 7.0 Enforcement	12

Rule 1.0

DEFINITIONS

As used in these rules:

- (A) "Composting" means a form of solid waste disposal through the controlled biological decomposition of organic solid wastes under predominately aerobic conditions.
- (B) "Construct" means to create or install a solid waste facility at a location not currently used for that purpose.
- (C) "Enlarge" means to alter a solid waste facility in order to increase the area occupied by components of the facility, through either horizontal or vertical expansion or excavation.
- (D) "Modify" means to alter a solid waste facility or activities conducted at the facility in order to: (a) delete, add, or replace facility components or equipment that constitute a significant change in facility operations; (b) change the type of solid waste handled at the facility; or (c) significantly increase the total capacity of the facility or amount of solid waste handled at the facility.
- (E) "Monocell" means an individual site within a sanitary landfill where a single type of waste, such as waste tires, is disposed.
- (F) "Monofill" means a sanitary landfill where a single type of waste, such as incinerator ash or shredded tires, is exclusively disposed.
- (G) "Person" means any individual, partnership, public or private corporation, political subdivision, or other entity.
- (H) "Recyclables" means those materials from the solid waste stream that can be recovered for reuse in present or reprocessed form.
- (I) "Recycling facility" means any site or building used for the separation of recyclable solid waste from non-recyclable solid waste, or for acceptance, sorting, processing, and storage of recyclable solid waste for eventual use.
- (J) "Resource recovery" means the taking of useful materials or energy from solid waste at any stage before ultimate disposal, through various methods, including incineration.
- (K) "Sanitary landfill" means an engineered facility where the final disposition of solid waste on or into the ground is practiced in accordance with Chapters 3745 -27 and 3745-37 of the Ohio Administrative Code.

- (L) "Solid waste" means unwanted residual materials from industrial, commercial, and agricultural operations, and from residential activities, including garbage, tires, and debris. It does not include construction and demolition debris, hazardous waste, or infectious waste.
- (M) "Solid waste facility" means any site, location, tract of land, installation, or building used for solid waste disposal, transfer, composting, incineration, or resource recovery.
- (N) "Transfer facility" means any site or building that is used to transfer off-site solid waste from vehicles or containers into other vehicles or containers for transportation to solid waste facilities.
- (O) "Waste hauler" means any person, as defined above, who transports solid waste within the District.
- (P) "Yard waste" means grass clippings, leaves, flowers, weeds, brush, garden waste, and trees or parts of trees.

Rule 2.0

WASTE RESTRICTIONS AND INSPECTIONS

(A) Waste Restrictions

- (1) Owners and operators of solid waste landfills, incinerators, and transfer stations in the District shall not accept the following wastes for disposal after the date indicated:

<u>Waste Stream</u>	<u>Date</u>
Yard waste	December 1, 1993
Lead-acid batteries	January 1, 1993

- (2) Owners and operators of solid waste landfills and transfer stations shall not accept the following wastes for land disposal after the dates indicated:

<u>Waste Stream</u>	<u>Date</u>
Whole waste tires	January 1, 1993
Shredded and whole waste tires	January 1, 1995

- (3) The prohibition against the acceptance of shredded waste tires does not apply to shredded tires disposed of at properly licensed monofills and monocells within sanitary landfills.

(B) Inspections

Owners and operators of solid waste facilities in the District shall submit to the Board of Directors a management plan for the inspection and/or monitoring of solid wastes to ensure that such wastes do not contain any waste streams restricted from disposal by section (A) of this rule, and which provides for the following:

- (1) Routine random inspection of incoming waste transported by vehicles that are not directly owned or controlled by the facility operator, and the refusal of future deliveries from vehicles that violate the disposal restriction; and
- (2) Routine random inspection of incoming waste transported by vehicles that are controlled by the facility, or an alternative monitoring program that includes employee training, random inspections, and employee discipline for any violation of the disposal restrictions.

**Rule 3.0 CONSTRUCTION, ENLARGEMENT, OR
MODIFICATION OF SOLID WASTE FACILITIES**

(A) Approval by Board of Directors

Any person seeking to construct, enlarge, or modify a solid waste facility in the District shall submit twelve (12) copies of such proposal for the construction, enlargement, or modification to the Board of Directors for review and approval. The proposal shall be submitted to the board of Directors concurrently with submission of a permit application to Ohio EPA, or not later than 30 days following such submission.

(B) Information to be Provided

The proposal for construction, enlargement, or modification shall include twelve (12) copies of the following information:

- (1) The application, plans, and specifications identified in Rule 3745-27-06 or Rule 3745-27-13 of the Administrative Code;
- (2) Demonstration of need for the proposed facility, based upon the projections contained in the approved Solid Waste Management Plan for the District, or any more recent information that is available, and a preliminary cost analysis of the services to be provided by the facility;
- (3) Information regarding the facility's effect on the operation of solid waste facilities in the District;
- (4) Information on the economic impact of the facility including, but not limited to, impacts on property values, job opportunities, and tax revenues within the District;
- (5) Demonstration that the proposed facility complies with the siting strategy established in Section 2.8 of the District Plan, or that siting strategy does not or should not apply to that particular facility;
- (6) Impact on the infrastructure of the District, including identification of roads and streets that will be used for transportation of material into and out of the facility, and a projection of the volume of traffic per operating day;
- (7) Identification of the type and source of solid waste to be handled at the facility;

- (8) A schedule for the construction, enlargement, or modification of the facility;
 - (9) A certificate of approval from the local zoning authority, if required;
 - (10) Financial information on the applicant, including three (3) years of audited financial statements, if available, income and loss statements for the prior three (3) years, and/or pro forma operating statements for the proposed facilities, and copies of any financing, bonding or underwriting documents which reflect the terms of any financing for the construction, alteration, or modification of the proposed facilities;
 - (11) A list of the owners and operators of the proposed facility;
 - (12) Copies of deeds or other instruments reflecting the ownership of the real estate upon which the facility will be located; and
 - (13) Any other information requested by the Board of Directors.
- (C) Determination of Compliance

The Board of Directors shall approve or disapprove the proposal, based on the Board's *Determination* of whether the proposed construction, enlargement, or modification complies Solid Waste Management Plan for the District.

In making such a determination, the Board of Directors shall consider the following:

- (1) Need for the proposed facility, and its benefits;
- (2) Relationship of the facility to existing facilities, to existing regional initiatives for the management of solid waste, and to existing source separation and recycling activities within the District;
- (3) Environmental impacts of the facility, including impacts on the drinking water supply and the infrastructure of the District;
- (4) Compatibility with existing land uses;
- (5) Economic impacts of the facility, including impacts on property values, job opportunities, and tax revenues within the District;
- (6) Consistency with the District's siting strategy as set out in Section 2.8 of the District Plan;

- (7) Economic and technical feasibility and reliability of the facility; and
- (8) Such other considerations as are necessary to assure that the facility will be consistent with the District Plan.

(D) Notice and Comment

The Board of Directors shall publish a notice in a least one newspaper of general circulation within each county in the District of the submission of a proposal to construct, enlarge, or modify a solid waste facility in the District, that includes a description of the facility, specifies a location in each county where the proposal is available for review, and establishes a 30-day period for the Board to receive written comments.

(E) Public Hearing

The Board of Directors shall commence a public hearing concerning the proposed facility within 15 days following expiration of the comment period. Notice of such hearing shall be published once in at least one newspaper of general circulation within each county in the District, no less than 7 days prior to the hearing. The hearing may be continued at the discretion of the Board, upon motion by a party or on the Board's own motion. At the public hearing, both proponents and opponents of the proposed facility shall have the opportunity to present statements regarding the facility's compliance with the District Plan.

(F) Notice of Decision

Within 30 days after the public hearing, the Board of Directors shall make a determination approving or disapproving the construction, enlargement, or modification of the proposed facility, and shall provide written notice of its determination by certified mail to the applicant and Ohio EPA. Failure of the Board to act within the designated time periods shall not constitute approval. Any person who is adversely affected by the Board's decision may appeal the decision to the court of common pleas in the appropriate county, as provided in Chapter 2506 of the Revised Code.

(G) Supervision of Construction, Enlargement, or Modification

The Board of Directors may designate a county sanitary engineer within the District to supervise construction, enlargement, or modification of a solid waste facility. The sanitary engineer may enter any such facility at reasonable times for the purpose of supervising, inspecting, and otherwise ensuring that the construction, enlargement, or modification of the facility is in compliance with approved proposal and the District Plan.

(H) Fees

Any person seeking to construct, enlarge, or modify a solid waste facility shall be assessed a District fee to cover all expensed incurred by the Board of Directors in connection with its determination that the proposed construction, enlargement, or modification is in compliance with the District Plan, and in connection with the supervision of construction by the designated county sanitary engineer. The Board shall certify all expensed connected with the initial determination to the applicant upon issuance of the Board's decision, which shall be paid within 30 days of notice thereof. Expenses of the county sanitary engineer shall be certified on a monthly basis to the applicant, and paid within 30 days of receipt of notice of the amount due.

Rule 4.0

REPORTING REQUIREMENTS

(A) Solid Waste Transfer, Landfill, Incineration, and Resource Recovery Facilities

Owners and operators of solid waste transfer, landfill, incineration, and resource recovery facilities included in the District Plan shall provide monthly reports to the Board of Directors on forms developed by the District, and containing at least the following information:

- (1) Copies of all reports required to be submitted to Ohio EPA under Rules 3745-27-09 and 3745-27-19 of the Administrative Code;
- (2) Reports regarding the disposal, recycling, and other management of solid wastes, restricted wastes, and recyclable materials;
- (3) Copies of annual license renewals;
- (4) Notification of transfer of operating license; and
- (5) Notification of intent to terminate operations.

Reports shall be submitted on the 30th day of the month, and contain information recorded or submitted during the prior month.

(B) Solid Waste Recycling Facilities

Owners and operators of recycling facilities included in the District Plan shall maintain records of daily operations and provide quarterly summary reports to the Board of Directors on forms developed by the District, and containing at least the following information:

- (1) Amount, type, and source of solid waste and recyclable materials accepted;
- (2) Amount and type of recyclable materials separated from non-recyclable solid waste;
- (3) Amount and type of recyclable materials shipped off-site;
- (4) Amount, types, and disposition of non-recyclable solid waste shipped off-site; and
- (5) Amount and type of recyclable solid waste accepted and stored for eventual use.

Reports shall be submitted on the 30th day of the month following the end of each calendar quarter, and contain information recorded or submitted during the prior quarter.

Rule 5.0

RECYCLING FACILITIES

(A) Statement of Goals

The Board of Directors is strongly committed to the State's goal of a 25% reduction in solid waste through reuse and recycling of solid waste materials. The present waste generation rate in the district will be used to establish a base level against which to measure progress toward achieving this goal.

(B) Registration

All recycling facilities included in the District Plan shall be registered with the Board of Directors. To obtain a certificate of registration, the owner or operator of a recycling facility shall:

- (1) Submit a registration certificate application to the Board within 60 days of the effective date of this rule. New recycling facilities shall submit a registration certificate application at least 30 days prior to commencing operation.
- (2) Upon written notification that the application is incomplete, the applicant shall, within 10 days, correct deficiencies and resubmit the application; and
- (3) Display the certificate on the premises.

Each certificate of registration is valid for a maximum period of 2 years. Each certificate shall expire on December 31 of each even-numbered year. Renewal applications shall be submitted during the month of October.

(C) Revocation of Registration

The Board of Directors shall revoke the registration of a recycling facility if the owner or operator fails to comply with the record keeping and reporting requirements set out in section (B) of Rule 4 or with other applicable rules established by the Board or Ohio EPA.

Before revoking a registration, the Board of Directors shall issue a notice of intent to the affected owner or operator that includes a notice of opportunity for an informal hearing to allow the owner or operator to explain the noncompliance. The owner or operator must request a hearing within 14 days of receipt of the notice. Failure to request a hearing waives the right to further proceedings. Registration will be considered revoked as of the 14th day.

Rule 6.0

WASTE HAULERS

Waste haulers providing service in the District shall maintain records of daily operations and provide quarterly reports to the Board of Directors on forms developed by the District, and containing at least the following information:

- (1) Amount and type of source-separated recyclable materials collected;
- (2) Amount of general solid waste collected;
- (3) Percentage of residential, commercial, industrial, and agricultural generators serviced;
- (4) Counties in which service is provided; and
- (5) Destination (recycling facilities, transfer facilities, and disposal facilities) and amount of material delivered to each destination.

Reports shall be submitted on the 30th day of the month following the end of each calendar quarter, and contain information recorded or submitted during the prior quarter.

Rule 7.0

ENFORCEMENT

Whenever the Board of Directors receives information that a violation of any of the Rules adopted by the Board is occurring, has occurred, or may occur, the board shall investigate the alleged violation. The Board shall request the prosecuting attorney of the county in which the violation is occurring, has occurred or is threatened, to bring a civil action for enforcement in appropriate circumstances, pursuant to O.R.C. Section 343.03, and to seek all appropriate relief, including, but not limited to, a temporary restraining order, and/or a preliminary or permanent injunction. The Board may also seek enforcement pursuant to O.R.C. Section 343.99, including a penalty of not more than \$5000.00 per violation. Each day of violation shall be a separate offense. All fines collected pursuant to an enforcement action under these rules shall be deposited in the District fund created pursuant to O.R.C. Section 3734.57(E)

Mansfield, Mark

From: Finkelstein, Amber
Sent: Tuesday, July 31, 2012 12:41 PM
To: Hester, Scott; Mansfield, Mark
Cc: Fox, Rich
Subject: RE: PIC Contact Page Info Request

Is it okay if I forward this thread to him? Thanks!

Amber Kent Finkelstein
Public Involvement Coordinator
(614) 728-0045

From: Hester, Scott
Sent: Tuesday, July 31, 2012 12:40 PM
To: Mansfield, Mark; Finkelstein, Amber
Cc: Fox, Rich
Subject: RE: PIC Contact Page Info Request

The statute changed last year. They now have 45 days after submittal to hold the public meeting. They still must publish the public notice at least 30 days prior. S

From: Mansfield, Mark
Sent: Tuesday, July 31, 2012 12:03 PM
To: Finkelstein, Amber
Cc: Hester, Scott; Fox, Rich
Subject: RE: PIC Contact Page Info Request

Amber,

The contents of the notice look OK to me. They will need to keep close attention to the statute timeframes, however:

1. Not later than 35 days after submitting the application, they must hold the meeting.
2. Not less than 30 days before the meeting, they must public notice.

As such, if the notice is not published today, they will not be able to meet the 30 day requirement (#2) by having the meeting on August 30.

Mark

From: Finkelstein, Amber
Sent: Tuesday, July 31, 2012 11:32 AM
To: Mansfield, Mark; Hester, Scott; Fox, Rich
Subject: FW: PIC Contact Page Info Request

Can one of you please review this today to verify that it meets statutory requirements?

Thanks!

Amber Kent Finkelstein

LEGAL NOTICE FOR SOLID WASTE TRANSFER STATION PERMIT TO INSTALL APPLICATION

Weavertown Transport Leasing, Inc. (WTL) will hold a public meeting to inform local residents and interested parties of a Solid Waste Transfer Station Permit to Install (PTI) Application to be submitted to the Ohio Environmental Protection Agency (Ohio EPA), Southeast District Office (SEDO) for a new transfer station facility to be located at 50810 State Route 7, New Matamoras, Ohio 45767. The WTL Transfer Station will be a new facility providing solidification and transfer of solid and liquid wastes. The public information meeting will be held at the New Matamoras Elementary School cafeteria located at 1000 Stober Drive, New Matamoras, Ohio 45767 on Thursday, August 30, 2012 at 6:00 pm.

Mansfield, Mark

From: Finkelstein, Amber
Sent: Friday, July 27, 2012 10:01 AM
To: Fox, Rich
Cc: Goff, Bruce; Mansfield, Mark; Holland, Joe
Subject: RE: Weavertown - New Mat. Facility.

Is it possible to get a copy of a legal public notice template for DMWM? Roy has asked for one. I'll also be sending him an example citizen's advisory, but he wants to make sure he gets this right.

Thanks!

Amber Kent Finkelstein
Public Involvement Coordinator
(614) 728-0045

From: Fox, Rich
Sent: Friday, July 20, 2012 9:31 AM
To: Stanley, Roy
Cc: Goff, Bruce; Mansfield, Mark; Holland, Joe; Finkelstein, Amber
Subject: RE: Weavertown - New Mat. Facility.

You can give a call to Amber Finkelstein in our public interest center for Ohio EPA at the Central Office, 644-2160. We typically have someone attend the applicant's meeting to discuss the permit review process and public involvement. The meeting is required to happen within 35 days of the submittal of the application so planning the location and public notice is important.

From: Stanley, Roy [mailto:rstanley@cecinc.com]
Sent: Thursday, July 19, 2012 2:24 PM
To: Goff, Bruce; Fox, Rich
Subject: RE: Weavertown - New Mat. Facility.

Bruce/Rich, based on my review of the Solid Waste Landfill Permit to Install Process Fact Sheet No. 211 and the Public Involvement Requirements for Solid Waste Permits Fact Sheet No. 212, it appears that we are required to hold an Applicant's Meeting for the New Matamoros Transfer Station PTI Application. Does SEDO supply a public notice announcement template that I can use for this requirement?

Please let me know.
Roy

Roy A. Stanley / Project Manager
Civil & Environmental Consultants, Inc.
8740 Orion Place, Suite 100 · Columbus, Ohio 43240
Toll-Free: 888-598-6808 · Direct: (614) 545-1260 · Fax: 614-540-6638
Mobile: 614-425-6324 · <http://www.cecinc.com>
Senior Leadership · Integrated Services · Personal Business Relationships

From: Goff, Bruce [mailto:bruce.goff@epa.state.oh.us]
Sent: Thursday, July 19, 2012 2:14 PM

Public Involvement Coordinator
(614) 728-0045

From: Stanley, Roy [<mailto:rstanley@cecinc.com>]
Sent: Tuesday, July 31, 2012 10:08 AM
To: Finkelstein, Amber
Cc: Fox, Rich; Daryl Heiser [dheiser@weavertown.com] (dheiser@weavertown.com); Eric Meduho [emeduho@weavertown.com] (emeduho@weavertown.com)
Subject: PIC Contact Page Info Request

Amber,

Attached is a draft Legal Notice to be published in local newspapers for the applicants public meeting for the Solid Waste Transfer Station PTI Application to be located in Grandview Township, Washington County, Ohio. Can you review and comment on the legal notice. I would like to forward the notice to local newspapers today, if possible.

Roy A. Stanley / Project Manager
Civil & Environmental Consultants, Inc.
8740 Orion Place, Suite 100 · Columbus, Ohio 43240
Toll-Free: 888-598-6808 · Direct: (614) 545-1260 · Fax: 614-540-6638
Mobile: 614-425-6324 · <http://www.cecinc.com>
Senior Leadership · Integrated Services · Personal Business Relationships

This electronic communication and any attachments are intended solely for the use of the person or entity to which it is addressed, and may contain information that is confidential, privileged and exempt from disclosure under applicable law, including copyright law. If you are not the intended recipient of this message, you are prohibited from disclosing, reproducing, distributing, disseminating or otherwise using this transmission. Please promptly notify the sender by reply electronic communication and immediately delete this message from your system.

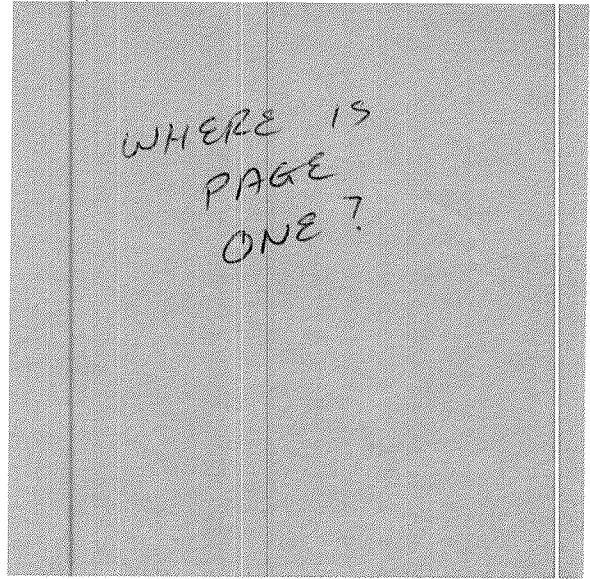
To: Stanley, Roy
Subject: RE: Weavertown - New Mat. Facility.

thanks

From: Stanley, Roy [mailto:rstanley@cecinc.com]
Sent: Thursday, July 19, 2012 1:57 PM
To: Goff, Bruce
Subject: RE: Weavertown - New Mat. Facility.

Bruce, Weavertown leased the three existing above ground tanks and pump island at their New Matamoros property to GreenHunter, who will transload brine and frac flowback for disposal at their underground injection well (GreenHunter's UIC well is located in southeastern Ohio). The GreenHunter brine transload operation is on the Weavertown's property, but they are not part of the Weavertown Transfer Station/Solidification facility.

Roy A. Stanley / Project Manager
Civil & Environmental Consultants, Inc.
8740 Orion Place, Suite 100 · Columbus, Ohio 43240
Toll-Free: 888-598-6808 · Direct: (614) 545-1260 · Fax: 614-540-6638
Mobile: 614-425-6324 · <http://www.cecinc.com>
Senior Leadership · Integrated Services · Personal Business Relationships



From: Goff, Bruce [mailto:bruce.goff@epa.state.oh.us]
Sent: Wednesday, July 18, 2012 9:11 AM
To: Stanley, Roy
Subject: RE: Weavertown - New Mat. Facility.

Roy:

Do you know anything about this operation that has started up at New Mat.?:

<http://www.businesswire.com/news/home/20120717005460/en>

We are getting some inquiries. Is this operation on the same site as Weavertown's operation or nearby?

I'm still looking into the regulatory status for storm water for centralized treatment part of the operation.

Thanks

Bruce

From: Stanley, Roy [mailto:rstanley@cecinc.com]
Sent: Wednesday, July 11, 2012 11:19 AM
To: Goff, Bruce
Cc: Laake, Ryan; Snell, Fred; Wells, Steve
Subject: RE: Weavertown - New Mat. Facility.