



John R. Kasich, Governor  
Mary Taylor, Lt. Governor  
Scott J. Nally, Director

OHIO E.P.A.

OCT 30 2012

ENTERED DIRECTOR'S JOURNAL

CERTIFIED

October 30, 2012

I certify this to be a true and accurate copy of the official documents as filed in the records of the Ohio Environmental Protection Agency.

Mr. Grant Gibson  
Compost Cincy  
6141 Cherokee Drive  
Cincinnati, OH 45243

By: Zona Clement Date: Oct 30, 2012

**RE: Compost Cincy, Hamilton County  
Class II Composting Facility  
Registration No. 31-C2R-1142  
Alternative Feedstock Request Approval**

Dear Mr. Gibson:

In accordance with Ohio Administrative Code (OAC) Rule 3745-560-205(A), the owner or operator of a Class II solid waste composting facility may compost alternative feedstock after approval by the Director of the Ohio Environmental Protection Agency (Ohio EPA). On September 19, 2012, Ohio EPA received a request from Compost Cincy, seeking approval to utilize an alternative feedstock at their Class II solid waste composting facility (Facility). The Facility is located at 5800 Este Avenue in Cincinnati, Hamilton County, Ohio.

The alternative feedstock consists of belt press by-product from a vegetable oil processing plant. Wastewater from the plant is treated in an anaerobic bio-reactor and then dewatered using ferric chloride and polymer, producing a solid with the consistency of loose soil.

Ohio EPA has reviewed the September 19, 2012 request and has determined that it meets the requirements for approval specified in OAC Rule 3745-560-205(B). Therefore, Compost Cincy is hereby approved to use the belt press by-product described in the September 19, 2012 request as an alternative feedstock for composting at the Class II solid waste composting facility located in Cincinnati, Ohio. This approval is subject to the following conditions:

1. The alternative feedstock shall be managed in accordance with written documentation submitted on September 19, 2012, OAC Rules 3745-560-01 through 3745-560-435, "Solid Waste Composting Regulations"; OAC Rule 3745-15-07, "Air Pollution Nuisances Prohibited"; and Ohio Revised Code Chapter 6111, "Water Pollution Control."

2. Only belt press by-product generated by the company listed in the request shall be accepted as an alternative feedstock at the Facility. Belt press by-product meeting the same specifications may be accepted from other companies upon notification to Ohio EPA Central Office (CO), Division of Materials and Waste Management (DMWM) and Ohio EPA Southwest District Office (SWDO), DMWM at least three (3) days prior to receiving the initial load of the alternative feedstock.
3. Ohio EPA, SWDO, DMWM may enter the Facility during reasonable times, in accordance with applicable law, to inspect, conduct tests, or examine records and reports concerning the utilization of the alternative feedstock and compliance with this authorization.
4. If, in the judgment of Ohio EPA, the owner or operator is unable to abate nuisance conditions or has not complied with the conditions of this authorization, then the owner or operator shall, upon written notification, cease acceptance of the alternative feedstock and dispose of all material containing the alternative feedstock at a licensed solid waste landfill.
5. Testing requirements shall be fulfilled after the alternative feedstock mixture has completed the thermophilic and curing stages of composting. The owner or operator shall have the cured compost tested for the parameters listed in Tables 1, 2, 3, and 4 as specified in OAC Rule 3745-560-230.
6. Cured compost that does not exceed the quality standards limits found in Tables 1, 2, 3, and 4 of OAC Rule 3745-560-230 may be distributed for unrestricted use.
7. Cured compost that does not meet the acceptable quality standards stated in this approval shall be:
  - a) Recirculated into the composting process; or
  - b) Disposed of at a licensed solid waste disposal facility.
8. This approval for alternative feedstock shall terminate upon closure of the Facility and/or non-renewal of the annual operating license.
9. This alternative feedstock approval is issued solely to Compost Cincy, and is not transferable upon change of ownership. No other persons may utilize the materials which are specified in this approval at the Facility located at 5800 Este Avenue, in Cincinnati, Ohio.

Issuance of this alternative feedstock approval does not constitute expressed or implied agreement that the monitoring of the facility performed and implemented in accordance with this alternative feedstock approval, and/or its terms and conditions, will constitute compliance with applicable state and federal laws, rules, and regulations. Nor does issuance of this approval assure that necessary operating permits or licenses will be granted.

Mr. Grant Gibson  
Compost Cincy  
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You are notified that this action of the Director of the Ohio Environmental Protection Agency (Director) is final and may be appealed to the Environmental Review Appeals Commission (Commission) pursuant to Ohio Revised Code 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  
77 South High Street, 17<sup>th</sup> Floor  
Columbus, Ohio 43215

If you have any questions concerning this letter, please contact Peter Ferron of Ohio EPA, Central Office at (614) 728-5367.

Sincerely,



Scott J. Nally  
Director

PF/

cc: Pat Willoughby, DMWM, SWDO  
Karen Teter, J.M. Smuckers

