

3745-560-100 Class I composting facility establishment.

[Comment: For dates of non regulatory government publications, publications of recognized organizations and associations, test methods, federal rules, and federal statutory provisions referenced in this rule, see rule 3745-500-03 of the Administrative Code titled "Incorporation by reference."]

- (A) No person shall establish or operate a class I composting facility without first having met the following:
- (1) Obtaining a permit to install in accordance with this rule prior to the construction of a new class I composting facility.
 - (2) Obtaining a solid waste license pursuant to Chapter 3745-501 of the Administrative Code.
 - (3) Executing the financial assurance instrument pursuant to rule 3745-503-05 of the Administrative Code for an amount not less than the current closure cost estimate established in accordance with rule 3745-560-05 of the Administrative Code.
- (B) Permit to install for a class I composting facility. A permit to install application shall be submitted to Ohio EPA and shall consist of the following:
- (1) Plan sheets required in paragraph (C) of this rule. Engineering plans, specifications, and information as required by this rule shall be sufficiently detailed to allow for technical review of the permit application and to provide assurance that the facility meets the siting criteria and is designed and will be constructed, operated, and closed in accordance with this chapter and Chapter 3745-501 of the Administrative Code.
 - (2) Narrative report with operational information required in paragraph (D) of this rule. The information required in this rule shall be provided in sufficient detail to allow for technical review of the permit application and to provide assurance that the facility is designed and will be constructed, operated, and closed in accordance with this chapter and Chapter 3745-501 of the Administrative Code.
 - (3) Land owner information including name, address, and contact information, if the land owner is not the applicant. This information shall include a notarized written statement from each titleholder of each tract of land on which the facility is located that each titleholder acknowledges that the applicant is submitting a permit to install application and may use the land for the purpose of establishing a class I composting facility.
 - (4) Copies of the letters of intent required in paragraph (G) of this rule.
 - (5) A notarized statement described in and signed by the applicant in accordance with rule 3745-500-50 of the Administrative Code.
 - (6) For regulatory review purposes, the initial application and any subsequent revisions to the application shall be submitted in duplicate to the director with a third copy sent to the board of health of the health district where the facility is or will be located. Any revisions to the application must be accompanied by an index listing the change and the page where the change occurred. Upon written request from Ohio EPA, the applicant shall submit two additional complete copies of the revised application to the director and a notarized statement described in and signed by the applicant in accordance with rule 3745-500-50 of the Administrative Code.
- (C) Plan sheets. The following detailed engineering plans, specifications, and information for the composting facility shall be shown by means of drawings and narrative descriptions where appropriate and shall be

signed and sealed by a professional engineer. Minimum dimensions of the plan drawings shall be twenty-four inches by thirty-six inches. An individual plan drawing may contain information specified in more than one individual subheading. Each individual plan drawing shall clearly show the vertical and horizontal scales used. A scale of one inch equals no greater than one hundred feet shall be used unless specified otherwise by Ohio EPA.

- (1) Engineering plan cover sheet to be numbered sheet 1 shall contain the following detailed information:
 - (a) The name of the composting facility.
 - (b) The geographical location of the composting facility shown on a USGS 7.5 minute (topographic) map.
 - (c) The name and address of the applicant and the composting facility operator.
 - (d) The name and address of each titleholder of each tract of land to be used for the composting facility.
 - (e) The name, address, and telephone number of the person who prepared the plans.
 - (f) Index of plan sheets.
- (2) A plan drawing to be numbered consecutively as sheets 2A, 2B, 2C, etc. shall contain the following detailed facility construction and operational information:
 - (a) The property lines of land owned or leased for the composting facility as determined by a property survey conducted by a professional skilled in the appropriate discipline.
 - (b) Direction of prevailing winds during each season.
 - (c) Traffic patterns, including on-site access roads.
 - (d) Cross sections and construction materials of all surfaces and facilities on or in which solid wastes will be placed prior to, during, or after composting.
 - (e) Runoff control structures, sedimentation ponds, and leachate management system structures and the layout of the leachate management system including at a minimum leachate flow patterns, drains, piping, storage, and clean-outs.
 - (f) Composting facility boundary.
 - (g) Boundary lines for the materials placement and receiving area based on the design capacity and the operational capacity, if the operational capacity is different than the design capacity. The boundary lines shall include the areas for each of the following:
 - (i) Composting and materials processing.
 - (ii) Receiving and storage of feedstocks, bulking agents, or additives.
 - (iii) Storage of alternative materials authorized pursuant to rule 3745-560-105 of the Administrative Code and the composting processing area dedicated to these materials.
 - (iv) Storage of compost product.
 - (h) The location of existing or proposed maintenance buildings, weighing facilities, storage buildings,

and other structures.

- (i) Roads, railroads, and occupied dwellings.
 - (j) The location of fencing, gates, and natural or other screening on the site (may be shown on an aerial photograph).
 - (k) The north arrow.
- (3) A plan drawing to be numbered consecutively as sheets 3A, 3B, 3C, etc., showing the following detailed facility siting criteria items located inside the facility boundaries and within one thousand feet beyond the facility boundaries:
- (a) The property lines of land owned or leased for the composting facility as determined by a property survey conducted by a professional skilled in the appropriate discipline.
 - (b) Composting facility boundary.
 - (c) Public roads, railroads, and structures.
 - (d) Existing topography showing streams, wetlands, lakes, springs, and other surface waters of the state.
 - (e) Existing domiciles.
 - (f) Leachate management structures.
 - (g) The limits of the one hundred year floodplain.
 - (h) National park or national recreation areas, candidate areas for potential inclusion into the national park system, and any state park or established state park purchase areas.
 - (i) Any state or Ohio history connection nature preserves, state wildlife areas and national wildlife refuges, national and state wild scenic and recreational rivers, special interest areas and research natural areas in the Wayne national forest, state resource waters, coldwater habitats, and exceptional warmwater habitats.
- [Comment: Both the Ohio department of natural resources and the Ohio history connection, formerly the Ohio historical society, designate state nature preserves in Ohio.]
- (j) Existing public water supply wells, developed springs, or private potable water supply wells.
 - (k) The north arrow.
- (4) A plan drawing to be numbered consecutively as sheets 4A, 4B, 4C, etc. shall contain the following detailed facility surface and ground water management information inside the facility boundaries and within five hundred feet beyond the facility boundaries. At a minimum, the plan drawings shall include the following:
- (a) The property lines of land owned or leased for the composting facility as determined by a property survey conducted by a professional skilled in the appropriate discipline.
 - (b) A detailed description of the existing direction of flow and points of concentration of surface water.
 - (c) The existing topography showing vegetation, streams, wetlands, lakes, springs, and other surface

waters of the state with a contour interval no greater than five feet.

(d) The proposed topography of the site with contour lines that shall have an interval of no greater than five feet.

(e) Existing public and private water system drinking water supply wells.

(f) Drainage plans which show the following:

(i) Grades.

(ii) Swales and streams and existing or proposed diversion trenches.

(iii) Existing or proposed special drainage devices to be used for control of surface erosion.

(g) The north arrow.

(h) Existing drainage sinkholes or agricultural drainage wells.

(i) The direction of the downward slopes and drainage for the materials placement area.

(D) Narrative report. The following information shall be presented in narrative form with necessary accompanying diagrams provided on a form prescribed by the director and shall be signed and sealed by a professional engineer:

(1) A detailed discussion of general operational information which shall include the following:

(a) The authorized maximum daily waste receipt planned for the facility.

(b) The equipment to be used in the operation and maintenance of the facility.

(c) The waste processing rate, performance capabilities, and principal specifications of each piece of powered equipment to be used at the facility for loading, unloading, handling, or processing solid wastes.

(d) Calculation of the design capacity of the composting facility.

(e) Calculation of the operational capacity of the composting facility which shall be less than or equal to the design capacity of the composting facility. Facilities accepting authorized alternative materials shall also specify the maximum capacity and area dedicated to alternative materials.

(f) For informational purposes only, proposed hours of operation and if applicable proposed hours that the facility will be open to the public for receiving waste materials.

(g) Methods of loading and unloading solid waste materials including compost and materials that will be removed from the facility including but not limited to salvaged materials and materials that are not utilized in the composting process into transportation vehicles at the facility.

(h) Traffic patterns within the facility boundaries.

(i) Maximum and average force in pounds per square inch that will be exerted upon the floor of the facility.

(2) A detailed discussion of composting operational information shall include the following:

- (a) Identification of the sources, composition, and estimated quantity of solid waste by type of feedstock, bulking agent, or additive to be used for composting.
- (b) A materials flow diagram for the facility showing both the type of feedstocks, bulking agents, or additives and the quantities of materials received and removed.
- (c) Procedures, frequency, and the sequence of processes and steps involved in converting solid waste to compost including but not limited to handling, sorting, shredding, mixing, adding water, screening, turning, composting, curing, and recirculating leachate and other liquids authorized for use by the director.
- (d) The percentage of mixture of the feedstock, bulking agent, and additive and the resulting carbon to nitrogen ratio.

(3) A detailed discussion of control measures taken shall include the following:

- (a) The collection, containment, recirculation, treatment, removal, disposal and prevention of generation of leachate and how leachate will be prevented from entering surface and ground waters including either the following:
 - (i) Direct discharge to an approved treatment facility.
 - (ii) Leachate conveyance, recirculation, and storage structures and systems.
- (b) The collection, containment, recirculation, treatment, removal, disposal and prevention of generation of surface water runoff and how water runoff will be prevented from entering surface and ground waters including either of the following:
 - (i) Direct discharge to an approved treatment facility.
 - (ii) Surface water runoff conveyance, recirculation, and storage structures and systems.
- (c) How birds, rodents, and other vectors will be prevented from reaching solid wastes at the composting facility.
- (d) Measures utilized to control fire, dust, scavenging, erosion, and blowing debris.
- (e) Inspection procedures for incoming wastes to prevent and manage prohibited materials at the composting facility.
- (f) Inclement weather operation procedures.
- (g) Salvaging procedures to be conducted on site, if any.
- (h) Odor management plan including discussion of the circumstances that are likely to result in nuisance odor production, methods that will be taken to reduce or minimize odors that are produced, and methods that will be used to mitigate the effects of odors.

(E) On the date the permit to install application is received by Ohio EPA, the limits of materials placement and leachate management structures are in compliance with the following siting criteria:

- (1) Unless located in an enclosed building, materials placement area and leachate management structures shall not be located within the following:

- (a) Two hundred feet from any surface waters of the state.
 - (b) Three hundred feet from a known sinkhole or agricultural drainage well.
 - (c) The sanitary isolation radius of public water system drinking water supply wells as calculated using the formulas specified in rule 3745-9-04 of the Administrative Code.
 - (d) Three hundred feet from a private water system drinking water supply well that is not controlled by the facility.
 - (e) Fifty feet from a private water system drinking water supply well that is controlled by the facility owner.
 - (f) Three hundred feet from a transient non-community public water system drinking water supply well.
 - (g) Five hundred feet from a domicile unless the domicile is owned or leased by the owner or operator.
 - (h) One thousand feet from the following:
 - (i) An area designated by the Ohio department of natural resources as either a state nature preserve, a state wildlife area, or a state wild, scenic, or recreational river.
 - (ii) An area designated, owned, and managed by the Ohio history connection as a nature preserve.
 - (iii) An area designated by the United States department of the interior as either a national wildlife refuge or a national wild, scenic, or recreational river.
 - (iv) An area designated by the United States forest service as either a special interest area or a research natural area in the Wayne national forest.
 - (v) Stream segments designated by Ohio EPA as either a state resource water, a coldwater habitat, or an exceptional warmwater habitat.
 - (i) A one hundred year floodplain, unless the owner or operator demonstrates in the permit to install application that the facility will be designed, constructed, operated, and maintained to prevent washout of any waste materials by a one-hundred-year flood.
 - (j) Five hundred feet from an occupied dwelling unless the occupied dwelling is owned or leased by the owner or operator or the owner or operator has received written consent from the owner of the occupied dwelling.
 - (k) The inner management zone (one year time of travel) of a drinking water source protection area for a community or non-transient, non-community public water system using ground water.
- (2) The portions of the materials placement area and leachate management structures located within an enclosed building shall meet the siting criteria contained in paragraphs (E)(1)(h) to (E)(1)(j) of this rule.

For the purposes of this rule, an "enclosed building" means a structure with a low-permeability floor, walls, doors, and a roof that is capable of enclosing all waste handling areas, preventing rain from reaching the enclosed waste handling areas, and containing and collecting leachate within the enclosed waste handling areas.

- (3) Except for facilities which exclusively compost wastes generated within state parks or national parks, or national recreation areas the facility shall not be located in any of the following:
- (a) A state park established or dedicated under Chapter 1546. of the Revised Code.
 - (b) A state park purchase area established under section 1546.06 of the Revised Code.
 - (c) A unit of the national park system, or any property that lies within the boundaries of a national park or national recreation area but that has not been acquired or is not administered by the secretary of the United States department of the interior, or any candidate area identified for potential inclusion in the national park system pursuant to the "National Park System Plan."
- (F) Composting facilities permitted prior to April 2, 2012 shall comply with siting criteria in effect on the date of permit issuance.
- (G) Concurrent with submitting the permit to install application, the applicant shall do the following:
- (1) Comply with any applicable disclosure statement requirements in accordance with Chapter 3734. of the Revised Code and rules adopted thereunder.
 - (2) Mail letters of intent to establish a composting facility which include a description of property and facility boundaries by certified mail or any other form of mail accompanied by a receipt to the following:
 - (a) The governments of the general purpose political subdivisions where the facility is proposed to be located including but not limited to local health departments, county commissioners, legislative authority of a municipal corporation, or the board of township trustees.
 - (b) The single or joint county solid waste management district or districts or regional solid waste management authority or authorities where the facility is proposed to be located.
 - (c) The owner or lessee of any easement or right of way bordering or within the proposed facility boundaries which may be affected by the proposed solid waste facility.
 - (d) The local zoning authority having jurisdiction.
 - (e) The park system administrator, if any part of the proposed facility is to be located within or will share the park boundary.
 - (f) The conservancy district, if any part of the proposed facility is to be located within or will share the conservancy district boundary.
 - (g) The fire department having responsibility for providing fire control services where the facility is proposed to be located.
 - (h) The division of air pollution control, the division of surface water, and the division of drinking and ground water of Ohio EPA including a written request for information pertaining to any regulatory requirements under Chapter 3704. or Chapter 6111. of the Revised Code.
- (H) Modifications to a permit to install.
- (1) No person shall modify a class I composting facility without first obtaining a permit to install issued by the director.

- (2) The owner or operator proposing to modify a class I composting facility shall submit an application to the director in accordance with paragraphs (B), (C), and (D) of this rule.
- (I) Alterations to the permit to install. No person shall alter a class I composting facility without first submitting a request and obtaining written concurrence from Ohio EPA in accordance with rule 3745-500-150 of the Administrative Code.

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CERTIFIED ELECTRONICALLY

Certification

08/20/2018

Date

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