



Public Involvement Requirements for Solid Waste Permits

To ensure communities are informed about proposals for new or modified solid waste facilities in their area, Ohio law requires meetings based on the type of permit and facility.

Ohio law establishes requirements for the applicant to host a meeting and Ohio EPA to host an information session and public hearing based on the purpose of the permit and the type of facility. All three of these meetings are required if the permit application proposes one of the following:

- establishment of a new facility (note exceptions below);
- increase in the total capacity of the facility by more than 10 percent;
- expansion of the lateral limits of solid waste placement at the facility;
- increase in the depth of excavation at a facility; or
- change in the technique of waste receipt or type of waste received that may endanger human health.

Although not required by law, an information session or public hearing may be conducted for the following permit applications if there is significant public interest:

- scrap tire facilities;
- Class II, III or IV composting facilities; or
- transfer facilities (the applicant's meeting is required; Ohio EPA may conduct an information session or public hearing).

Ohio EPA also updates individuals and groups who ask for information regarding a permit. To be included on the mailing list, contact the Public Interest Center at (614) 644-2160.

Applicant's Meeting

The purpose of the applicant's meeting is to outline the proposal and describe the permitting process to interested citizens. The applicant must distribute an agenda at the meeting and provide for a transcript of the full meeting.

Public Information Session

At Ohio EPA's public information session, an Ohio EPA employee will outline the proposal, describe the permitting process, report on the status of the application and respond to questions about the application. The applicant or a designated representative must attend the public information session to respond to any comments or questions directed to the applicant or representative by Ohio EPA.

For solid waste facilities, if a public information session is required, it must be held before Ohio EPA takes any action on the application. This requirement does not apply to scrap tire facilities, Class II, III or IV composting facilities or transfer facilities. Often, Ohio EPA's public information session is scheduled after the permit has been reviewed and before the issuance of a draft or proposed action.

At least 30 days before the information session, Ohio EPA will publish a notice announcing the meeting in the required newspaper(s). Prior to the information session, Ohio EPA will issue a news release to local media and send a citizen advisory to each person on the interested parties list for that facility.

Public Hearing

The purpose of the public hearing is to gather formal comments about the proposed project. Before the hearing begins, an Ohio EPA employee will give a brief outline of the proposal. The applicant or the applicant's representative must also attend the hearing.

For solid waste facilities, if a public hearing is required, it must be held before Ohio EPA takes a final action on the application. This requirement does not apply to scrap tire facilities, Class II, III or IV composting facilities or transfer facilities.

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At least 30 days before the hearing, Ohio EPA will publish a notice announcing the hearing in the required newspaper(s). Prior to the public hearing, Ohio EPA will issue a news release to local media and send a citizen advisory to each person on the interested parties list for that facility.

Public hearings for new facilities must be held at least 14 days after the information session.

Hearings for facility modifications may be held on the same day as the information session, unless requested otherwise in writing by an individual affected by the application. In that case, the hearing will not be held until at least 14 days after the public information session.

The solid waste management policy committee of a county or joint solid waste management district (SWMD) can adopt a resolution requesting prompt consideration of a specific application for a permit to modify an existing solid waste facility within the district.

The resolution must find that prompt consideration of the application without the information session or public hearing is in the public interest and will not endanger human health. If a resolution is issued by the SWMD, the director of Ohio EPA may issue a final action on the application, at his discretion, without holding the information session or public hearing.

Setting up Public Meetings and Hearings

All meetings and hearings are announced in a public notice in all newspapers of general circulation published in the county in which the facility is or is proposed to be located. If no newspaper of general circulation is published in the county, the public notice must be published in a newspaper of largest general circulation in the county. The notice contains the date, time and location of the public meeting and a general description of the proposed new facility or modification.

The meeting must be held within the county where the new or modified facility is or is proposed to be located or in an adjoining county. The meeting will be held as close to the proposed new or modified facility as possible.

Contact

The Public Interest Center's objective is to provide information to citizens and the media. For a list of contacts in your area, go to the "Contacts" tab at epa.ohio.gov/pic/. For more information about the solid waste program, click on the "Programs" tab at epa.ohio.gov/dmwm/. For district office contact information, go to epa.ohio.gov/districts.aspx, or call the appropriate number below.

Central Office
(614) 644-2621

Northeast District, Twinsburg
(330) 963-1200

Northwest District, Bowling Green
(419) 352-8461

Central District, Columbus
(614) 728-3778

Southeast District, Logan
(740) 385-8501

Southwest District, Dayton
(937) 285-6357

Disclaimer

This document is intended for guidance purposes only. Completion of the activities and procedures outlined in this document shall not release an owner or operator from any requirement or obligation for complying with Ohio Revised Code (ORC) Chapter 3734 or 3714 if appropriate, the Ohio Administrative Code (OAC) rules adopted thereunder, or any authorizing documents or orders issued thereunder, nor shall it prevent Ohio EPA from pursuing enforcement actions to require compliance with ORC Chapter 3734 or 3714, the OAC rules or any authorizing documents or orders issued thereunder.