



COMPLAINANT CONSENT/RELEASE FORM

Your Name: [REDACTED]

Address: [REDACTED]

Complaint number(s): (if known) _____

Please read the information below, check the appropriate box, and sign this form.

I have read the Notice of Investigatory Uses of Personal Information by the Department of Justice (DOJ). As a complainant, I understand that in the course of an investigation it may become necessary for DOJ to reveal my identity to persons at the organization or institution under investigation. I am also aware of the obligations of DOJ to honor requests under the Freedom of Information Act. I understand that it may be necessary for DOJ to disclose information, including personally identifying details, which it has gathered as a part of its investigation of my complaint. In addition, I understand that as a complainant I am protected by DOJ's regulations from intimidation or retaliation for having taken action or participated in action to secure rights protected by nondiscrimination statutes enforced by DOJ.

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SIGNATURE

DATE

7/24/83



COMPLAINANT CONSENT/RELEASE FORM

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Address: _____

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SIGNATURE _____

DATE _____

July 24, 2003



COMPLAINANT CONSENT/RELEASE FORM

Your Name: _____

Address: _____

Complaint number(s): (if known) _____

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7-26-03

DATE



COMPLAINANT CONSENT/RELEASE FORM

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DATE

July 26, 2003



COMPLAINANT CONSENT/RELEASE FORM

Your Name

Address:

Complaint number(s): (if known)

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DATE

10/26/05

No. CHD-999

2005

OhioEPA

SOLID WASTE FACILITY LICENSE

EXPIRES DECEMBER 31, 2005

NAME WASTE MANAGEMENT OF OHIO, INC.

HEALTH DISTRICT
CINCINNATI

ADDRESS 5723 Este Avenue

CITY/TOWNSHIP Cincinnati, Ohio 45232
FACILITY TYPE Solid Waste Transfer Facility

This license has been issued in accordance with the requirements of state law and is subject to revocation or suspension for cause and is not transferable without consent of the Board of Health and the Director of the Ohio Environmental Protection Agency.

CONDITIONS OF LICENSURE ON REVERSE SIDE

☐ Yes, additional special terms and conditions are applicable to this license. (see attachment)

October 25, 2005

Date Issued

Walter Anderson PhD
Health Commissioner

EPA 6001

2006



2006

**Solid Waste Facility License
Municipal Solid Waste Transfer Facility**

License Expires December 31, 2006

Facility: Cincinnati Transfer Station (CID:19207)
5701 Este Ave
Cincinnati, OH 45232

This license has been issued in accordance with the requirements of state law, is subject to revocation or suspension for cause, and is not transferable without the consent of the Board of Health and the Director of the Ohio Environmental Protection Agency.

Licensing Authority: Cincinnati City HD - TFL

Conditions of Licensure


The Licensee hereunder, its agents, employees, and all others in active concert with said licensee, including the facility owner and operator, shall be subject to and shall comply with the following conditions of this license:

1. All applicable requirements of Ohio Revised Code Chapters 3734., 3767., 6111., and 3704.
2. All applicable requirements of Ohio Administrative Code Chapters 3745-27, 3745-28, 3745-29, 3745-30, 3745-31, and 3745-37.
3. Permits-to-install, plans, operational reports, other authorizing documents, and administrative and judicial orders applicable to this facility and as approved by the Director of the Ohio Environmental Protection Agency.
4. This license is conditional upon payment of the applicable fee to the Board of Health or the Director, as appropriate, within 30 days after issuance.
5. By applying for and accepting this license, the licensee specifically consents in advance and agrees to allow the Director, the Health District, or an authorized representative, to enter upon the licensee's premises at any reasonable time during the construction and/or operation of the facility for the purpose of inspecting, conducting tests, collecting samples, or examining records or reports pertaining to construction, modification, installation, or operation of the facility. The licensee hereby acknowledges and agrees that any and all rights of access granted herein shall not be deemed to be unreasonable or unlawful under Ohio Revised Code Sec. 3734.07.

The licensee, its agents, employees, and all others in active concert with said licensee shall maintain and operate the facility to which the license pertains in a sanitary manner so as not to create a nuisance, cause or contribute to water pollution, or create a health hazard. This license shall not be construed to constitute a defense to any civil or criminal action brought by the State of Ohio or any duly authorized representative thereof to enforce the provisions of Chapters 3734., 3767., 6111., or 3704. of the Ohio Revised Code, or regulations issued thereunder.

Issuance of this license does not relieve the licensee of the duty to comply with all applicable federal, state, and local laws, regulations and ordinances.

☐ If Checked, Additional Conditions Apply to This License (See Back, or Attachment)


Health Commissioner

12/23/05
Date Issued

City of Cincinnati



Interdepartment
Correspondence Sheet

Date: 04/23/97

To Richard Mendes, Acting Director of OEM
From Sandy L. Sherman, CMC, Clerk of Council *Sandy L. Sherman*
Copies to
Subject Document #199602135 on the 04/23/97 Council Calendar

The Council at its session on April 23, 1997
on recommendation of the Community Development, Housing,
Zoning, Environment Committee, approved and filed the
following attached report:

REPORT, dated 03/12/97, prepared by
Richard Mendes, Acting Director of OEM,
on a motion dated 9/25/96, by
Councilmember Tillery, that the City
Manager provide a report on whether the
city has an environmental justice
program. If there is such a program,
please provide specific details of it.
If there is not a program, please
explain why none exists. (Statement
Attached)


/js

Att:

City of Cincinnati



Interdepartmental
Correspondence

DATE: March 12, 1997
TO: Mayor and Members of City Council
FROM:  Richard Mendes, Acting Director of Environmental Management
CC:
SUBJECT: ENVIRONMENTAL JUSTICE

Re: Document # 199602135

The City Council at its session on September 25, 1996 referred the following item for review and report:

MOTION, dated 9/25/96, by Council member Tillery, that the City Manager provide a report on whether the City has an environmental justice program. If there is such a program, please provide specific details of it. If there is not a program, please explain why none exist.

Environmental Justice

Bradford C. Mank, Assistant Professor of Law at the University of Cincinnati, summarized the concept of environmental justice in the *Ohio State Law Review* (Volume 56, Number 2, 1995):

"It is fair to say that an 'environmental justice movement' now exists, including both activists and scholars. This movement frequently argues that people of color and the poor are exposed to greater environmental risks than are whites and wealthier Americans at least in part because of racism and classism in the siting of environmental risks, the promulgation of environmental laws and regulations, the enforcement of environmental laws, and the attention given to the cleanup of polluted areas."

In response to these concerns, President Clinton issued Executive Order 12898, "Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations". Issued on February 11, 1994, this executive order directs federal agencies to develop environmental justice strategies that identify and address disproportionately high exposure and adverse human health or environmental effects of their programs, policies and activities on communities of color

ENVIRONMENTAL JUSTICE

Re: Document # 199602135

Page 2

and low-income populations. The general purposes of Executive Order 12898 are:

- 1) To focus attention of federal agencies on the human health and environmental conditions in minority communities and low-income communities with the goal of achieving environmental justice;
- 2) To foster non-discrimination in federal programs that substantially affect human health or the environment; and
- 3) To give minority communities and low-income communities greater opportunities for public participation in, and access to public information on, matters relating to human health and the environment.

Cincinnati's Approach

The City of Cincinnati does not have a specifically identified environmental justice program. It does have, however, a pattern of actions, programs, projects and services which are aimed at correcting environmental problems and providing environmental information. Such programs and activities include:

- *Winton Hills/Winton Place Collaborative* - Organized by the United States Environmental Protection Agency (USEPA), the Collaborative is a cooperative effort of representatives from the neighborhoods, the local industries in the area, and four levels of government, including the City. The group's purpose is to find collaborative ways, through open communication, to improve environmental conditions in the Winton Hills/Winton Place area.
- *Economic Development Efforts* - The brownfields redevelopment initiative is designed to cleanup contaminated properties and return them to productive, jobs-producing use. This effort is concentrating on the communities along the Mill Creek industrial corridor.
- *The Toxic Sweep Program* - The City's four-member team, representing the Office of Environmental Management, Safety, Health, and MSD, promptly investigates abandoned properties to preclude hazardous materials from being left on-site from discontinued operations. The program also provides awareness training to other City workers so potentially hazardous conditions which could adversely affect communities can be recognized and eliminated.
- *Old Landfills Cleanup Project* - Areas where the City deposited its waste over the years are being investigated to ensure that such areas do not adversely affect human health or the environment.

ENVIRONMENTAL JUSTICE**Re: Document # 199602135****Page 3**

- *Underground Storage Tanks (USTs) Cleanup Effort* - 140 USTs at 77 locations throughout the city have been removed to protect surface and ground waters from possible petroleum contamination.
- *Lower Price Hill Environmental Partnerships* - The Cincinnati Health Department, the University of Cincinnati, the Urban Appalachian Council, and the Lower Price Hill Community Council formed a coalition to apply for and receive an Environmental Justice Through Pollution Prevention grant from the USEPA. In a related, but distinct effort, environmental enforcement activities are coordinated in Lower Price Hill through regular meetings of representatives from MSD, the Cincinnati Health Department, the Hamilton County Department of Environmental Services, the Cincinnati Fire Division, and the Office of Environmental Management.
- *Pollution Prevention Assessments* - The Office of Environmental Management targeted the communities of Lower Price Hill and Winton Hills/Winton Place when it offered pollution prevention assessment services to small and medium-sized businesses. Such assessments are aimed at finding ways to reduce or eliminate the source of wastes and pollution in industrial processes.
- *Zoning Text Amendments* - The City Council and the Cincinnati Planning Commission recently adopted comprehensive waste-related text amendments to the Zoning Code. The revised zoning language identifies and characterizes different kinds of land uses which involve waste handling or disposal activities. The result is a Zoning Code which more clearly guides the siting of waste-related facilities and assures neighborhoods a voice (through the conditional use public hearing process) in such matters.

In addition to all of the above, and in response to the recent local forum on environmental justice, the Cincinnati Health Department is developing a Center for Environmental Justice. Its goals are:

- Provide opportunities for residents, regulatory agencies, industries, and academia to have open dialogue regarding community-based environmental problems.
- Increase the awareness of environmental justice issues through training and education.
- Actively participate on various committees that address the environmental concerns of citizens and industries.
- Continually seek various opportunities to improve services.

Recommendations

ENVIRONMENTAL JUSTICE**Re: Document # 199602135****Page 4**

I recommend that the City Council adopt the following statement of principle on environmental justice:

"The City of Cincinnati will engage in practices which will provide for the fair treatment and meaningful involvement of all people, regardless of race or income, with respect to the development, implementation, and enforcement of environmental laws, regulations, policies and programs."

I further recommend that these principle be employ during the budget process, evaluating programs and projects related to environmental issues in terms of the principle.

APPROVED:


John F. Shirey
City Manager

City of Cincinnati



Interdepartment
Correspondence Sheet

DATE: May 15, 2001

TO: Members of the Cincinnati Environmental Advisory Council

FROM: ^{DM}Dennis Murphey, Director of Environmental Management

SUBJECT: **ENVIRONMENTAL JUSTICE IN THE SITING OF A SOLID
WASTE TRANSFER STATION**

Attached is a report that describes the ways by which the City of Cincinnati included consideration of environmental justice into its site selection process for a solid waste transfer station.

Karl Graham and I are planning to meet, on May 16, 2001, with the Land Committee to discuss this report.

Attachment

May 15, 2001

ENVIRONMENTAL JUSTICE IN THE SITING OF A SOLID WASTE TRANSFER STATION

Introduction/Background

The City of Cincinnati included the consideration of environmental justice into its site selection process for a solid waste transfer station.

A recent article appearing in the May 2001 issue of *EM* magazine presented a condensed version of a paper titled "Residential Proximity to Industrial Sources of Air Pollution: Interrelationships among Race, Poverty, and Age," originally published in the March issue of the *Journal of the Air & Waste Management Association* (pp 406-421). This article explains environmental justice as a concept that "...focuses attention on questions of whether certain communities or groups, defined by their race/ethnicity, socioeconomics, and/or political access, bear a disproportionate burden of environmental hazards." The article also states that environmental justice "...has been defined in a variety of ways by different stakeholders...Typically, the definitions are conceptual and emphasize the need for either a fair and equitable decision-making process or a fair and equitable decision outcome...or both."

The Cincinnati City Council, on April 23, 1997, adopted the following statement of principle on environmental justice:

"The City of Cincinnati will engage in practices which will provide for the fair treatment and meaningful involvement of all people, regardless of race or income, with respect to the development, implementation, and enforcement of environmental laws, regulations, policies and programs."

The development of a transfer station can be considered as part of an environmental program – solid waste management. Furthermore, solid waste transfer stations are not usually considered to be a welcome addition to a neighborhood. Consequently, the City approached the siting of such a facility with environmental justice in mind. The consideration of environmental justice enabled the City to go beyond existing laws and regulations in its siting process.

How Did We Do It?

As is identified in the City's solid waste plan, the City of Cincinnati is committed to an open, public-based site selection process that provides participants with a meaningful voice in influencing the location of the proposed transfer station/recycling area. This was accomplished in four ways:

- The composition of the citizen-based Site Selection Advisory Committee
- How the citizen group operated
- Use of specific environmental justice criteria
- The results of the process

Composition of the Group

The Solid Waste Transfer Station/Recycling Facility Site Selection Advisory Committee (SSAC) was formed to be a diverse and broadly representative citizen input group. It consisted of 19 citizen members, representing 13 communities and 6 organizations. It also had several alternates who attended regularly. A roster of the committee members and alternates is attached. The Site Selection Advisory Committee members were selected with the following factors in mind:

- All community councils and other interested organizations were invited by the City Manager to nominate representatives.
- Each voting member is a resident of the City of Cincinnati.
- Citizen representation comes from a wide variety of geographic areas throughout the city.
- The SSAC has gender, racial, and age diversity; the citizens come from many different walks of life.
- Office of Environmental Management, Department of Public Services, and City Planning were non-voting members who provided support to the Committee, as did the consultant, R.W. Beck, Inc.

How the SSAC Operated

Environmental justice was reflected in how the SSAC operated:

- Ample amounts of information were provided to support the group.
- The group established its own decision-making ground rules and voted on major decisions.
- Meetings were conducted through facilitation and were based on active participation.
- Based on the above, the SSAC developed weighted evaluation criteria to be used to screen potential sites.

First, the SSAC learned about solid waste management in Cincinnati. Next, they learned what transfer stations are and why one was needed here. So that the committee members could get a realistic, first-hand look, they toured two operating transfer stations in Ohio. Finally, the group received presentations from representatives of the regulatory agencies that are involved with permitting and oversight of transfer stations.

The SSAC established its own ground rules for how it would make decisions. In summary, the group voted to: 1) establish what would constitute a quorum, 2) adopt a requirement that the SSAC members (or their representatives) attend a certain number of important meetings of the group in order to remain eligible to vote, and 3) make significant decisions based on a supermajority (75%) of those present. The committee concluded that these rules were needed to help assure a fair and objective process, to reinforce the principle that the committee's decisions should be informed, and to encourage consensus building throughout the process.

After the information-gathering phase, the SSAC began to define the selection criteria to be used to help identify and screen potential sites. The consultant led this effort by asking the committee members the following questions:

- “What would make a site appropriate for a transfer station?”
- “What would make a site inappropriate for a transfer station?”
- “What would make a community receptive to a transfer station?”

The ensuing brainstorming and discussion sessions produced a list of selection criteria. After the SSAC identified the initial criteria, the consultant facilitated additional meetings to achieve consensus regarding definitions for these criteria. To accomplish this, the following resources were used:

- Federal, state and local regulations
- Toxic release inventory (TRI) data
- Air quality permit databases
- Air quality monitoring reports
- Geographic Information Systems
- Visual exhibits
- Siting strategies from other communities

The criteria were divided into three categories:

Threshold Criteria (pass/fail type)

Evaluation Criteria (for which there are degrees of appropriateness)

Investigative Criteria (more intensive, site-specific studies)

For the evaluation criteria, the SSAC identified degrees of appropriateness to be applied to sites meeting the definition of that criterion. These degrees of appropriateness ranged from "most appropriate" to "least appropriate."

A summary of the selection criteria, by all three categories, follows:

THRESHOLD CRITERIA

The following criteria that eliminated a site from consideration:

- Less than eight acres in size
- Not located in the City
- Located in a commercial/neighborhood business district
- Located in a historically significant site/district
- Located within 1500 feet of the Center Hill landfill or a licensed facility that accepts municipal solid waste and/or construction and demolition debris
- Located within 200 feet of creeks/rivers of the state
- Adjacent to hospitals or sports complexes
- Too contaminated (on Superfund National Priority List)
- Located where two or more Title V facilities (major air emission sources pursuant to the Clean Air Act) and/or facilities that annually emit more than 10,000 lbs. of TRI reportable air pollutants are within 1,500 feet of the site

EVALUATION CRITERIA

Evaluation criteria were applied to sites after consideration of the minimum threshold criteria. For each of the following evaluation criterion, each site was rated from one to four regarding its "appropriateness," as identified by the Site Selection Advisory Committee:

- Site preferable in industrial area zone M2 or M3
- Away from homes
- Site should be isolated from residential, commercial or institutional structures
- Visibility- degree of visibility of residents to facility

- Landscape buffer zone-degree of buffer zone expected by community
- Valuable green space- distance from valuable green space to facility
- City owned land
- Centrally located to the communities
- Not overburdened with landfills and/or air emissions/conforms with environmental justice policy
- Access to major truck routes (major truck route- expressway)
- Railroad access
- No impact on the groundwater
- Brownfield site
- Potential for expansion

INVESTIGATIVE CRITERIA

Finally, the following investigative criteria were identified to be used to analyze the short-listed sites after the evaluation criteria were applied:

- Adequate space to accommodate at least three rows of trees on all sides
- Not in a community with declining property values- determination made through assessment of blighted conditions
- Acquisition and development of site will be economically feasible
- Truck traffic does not pass through neighborhood
- Trucks will not need to travel through areas with heavy pedestrian traffic
- Not at site with heavy traffic congestion
- Neighborhoods comfortable with site
- Located in a neighborhood with community involvement
- Conforms with size of existing buildings

The SSAC then voted to establish relative weighting factors for the evaluation criteria. In so doing, they expressed as a group what factors were of relative importance to their neighborhoods or organizations. The results created weighted selection criteria that are responsive to neighborhood interests and are inclusive of environmental justice considerations. For example, "Away from Homes," "No Impact on Groundwater," "Not Overburdened with Landfills and/or Air Emissions," and "Landscape Buffer Zone" were among the highest scoring criteria. Table 1 details the entire list of weighted evaluation criteria, in descending order of importance as determined by the SSAC's vote.

Table 1

(Scale: 4 = Most Important to 1 = Least Important)

EVALUATION CRITERIA	AVERAGE WEIGHT
Away from Homes	3.80
No Impact on the Ground Water	3.46
Not Overburdened with Landfills and/or Air Emissions /conforms with Environmental Justice Policy	3.33
Landscape Buffer Zone-Degree of Buffer Zone Expected by Community	3.33

Site Should Be Isolated From Residential, Commercial or Institutional Structures	3.26
Access to Major Truck Routes (major truck routes-expressway)	3.26
Centrally Located to the Communities	3.00
Visibility-Degree of Visibility of Residents To Facility	3.00
Site Preferable in Industrial Area Zoned M2 or M3	2.73
Valuable Green Space-Distance From Valuable Green Space to Facility	2.66
City Owned Land	2.60
Brownfield Site	2.60
Potential for Expansion	2.53
Railroad Access	2.46

Staff from the Office of Environmental Management (OEM) then applied the citizen committee's selection criteria city-wide. They did this by using the Cincinnati Area Geographic Information System (CAGIS) as much as possible. They also made site visits to verify the mapping information and to assign scores to potential sites.

More specifically, the staff used CAGIS to search the entire city for vacant or public/semi-public sites of eight acres or more. Next, they applied the citizens' threshold criteria, and examined aerial photographs and topographic overlay maps in CAGIS to eliminate inappropriate sites from further consideration (for example, very steep wooded hillsides).

This computer-based mapping process resulted in the identification of 14 locations that were subsequently visited by OEM staff. Six of those locations were not scored, in most cases because new development had occurred since the aerial photographs were taken. However, eight locations were scored, using the SSAC's weighted evaluation criteria.

Use of Specific Environmental Justice Criteria

There were two threshold criteria and one evaluation criterion that specifically and directly addressed environmental justice. The threshold criteria, those that eliminated a site from consideration, included:

- Facility located within 1500 feet of the Center Hill landfill or a licensed facility that accepts municipal solid waste and/or construction and demolition debris
- Where two or more Title V facilities (major air emission sources pursuant to the Clean Air Act) and/or facilities that annually emit more than 10,000 lbs. of TRI reportable air pollutants are within 1,500 feet of the site

The evaluation criterion, employing degrees of appropriateness, was:

- Not overburdened with landfills and/or air emissions

Nationwide, environmental justice concerns have been focused on those areas where transfer stations are clustered in low income or minority neighborhoods. In the City of Cincinnati, no transfer station existed, thus the clustering or the disproportionate siting of these facilities was

not the specific issue. For Cincinnati, the issue was that certain communities felt they already were exposed to a significant quantity of environmental pollutants. They also felt that some communities were already overburdened with other waste-related facilities. They asserted that putting a solid waste transfer station in their community would contribute to environmental injustice. The development of the site selection criteria, therefore, factored in these concerns.

The attached map, titled "Air Emission Sources and Landfills," shows the locations of the facilities that were considered.

Proximity to Landfills

In defining this criterion, the group felt that both municipal solid waste and construction & demolition debris landfills should be included. Additionally, the group also wanted closed solid waste landfills to be included since they still can generate methane gas years after they are closed. However, the group recognized that over the years, the City could have had numerous public dumps (before landfills were regulated) that were now closed. Thus, the group agreed to limiting the criterion to facilities that were operating and closed within the last 60 years.

Based on these scenarios, four facilities (at three locations) were identified. Note that the site identified as ELDA Landfill actually contains two facilities – a closed solid waste landfill and a currently licensed construction & demolition debris landfill. The group decided that putting a transfer station near any of the four facilities would result in a disproportionate number of solid waste facilities in that area. Consequently, the group recommended that any site within 1,500 ft of one of these four facilities be eliminated from consideration.

Proximity to Industrial Air Emission Sources

With respect to industries that emit air pollutants, defining "overburdened" was more difficult. The group determined that simply counting the number of facilities in an area would not be appropriate since the quantity and type of emissions needs to be considered. Additionally, the group concluded that emissions to the air were of greater concern than discharges to the sanitary sewer system. This is because air emissions were considered as constituting a greater health risk to neighboring residents than were discharges to the sewer system.

The quantity and type of air pollutants that industries were emitting was determined using databases from the Hamilton County Department of Environmental Services/ Air Quality Division. "Title V" facilities, "Synthetic Minor" facilities, and facilities required to submit Ohio EPA Toxic Release Inventory (TRI) air data were evaluated.

Title V facilities are "major sources" of air pollution, which means that they have the potential to emit more than 100 tons per year of a criteria pollutant (organic compounds, nitrogen oxides, sulfur dioxides, particulate, carbon monoxide) or 10 tons per year of any one hazardous air pollutant, or 25 tons per year of a combination of hazardous air pollutants.

Synthetic Minor facilities are facilities that restrict their emissions by hours of operation or other federally-enforceable means such that they are not required to have Title V permits.

TRI reportable air pollutants are those emitted by manufacturing industries in SIC codes 20 through 39 that: 1) have ten or more full-time employees, 2) meet the established thresholds for

manufacturing, processing, or otherwise using listed chemicals, and 3) must report their releases, transfers, and waste management activities.

All of the facilities identified in the database search were entered into CAGIS. To differentiate between the various types of facilities, both in terms of the quantity and type of pollutants emitted, facilities were placed into one of three categories and plotted on a map by color (see attachment):

Red dot – Facilities classified as Title V or Synthetic Minor, or those facilities that annually released more than 10,000 lbs. of TRI reportable air pollutants

Yellow dot - Facilities that annually release more than 1,000 lbs. but less than 10,000 lbs. of TRI reportable air pollutants

Green dot - Facilities that annually release less than 1,000 lbs. of TRI reportable air pollutants

To determine how this would impact the siting of the transfer station, the SSAC determined the evaluation criterion "Not overburdened with landfills and/or air emissions" would use the following degrees of appropriateness:

- Most Appropriate – No facilities that emit more than 10,000 lbs. of TRI reportable air pollutants, Title V facilities, or Synthetic Minor facilities within 1,500 ft of the site
- Appropriate - Only facilities that annually emit less than 1,000 lbs. of TRI reportable air pollutants are within 1,500 ft. of the site
- Somewhat Appropriate - Only facilities that annually emit less than 10,000 lbs. of TRI reportable air pollutants are within 1,500 ft. of the site
- Least Appropriate - A facility that annually emits more than 10,000 lbs. of TRI reportable air pollutants, a Title V facility or Synthetic Minor facility is within 1,500 ft of the site
- Not Appropriate - More than one facility that annually emits more than 10,000 lbs. of TRI reportable air pollutants, Title V facility, or Synthetic Minor facility within 1,500 ft. of the site

A threshold of 1,500 feet from the identified facility was used based upon an analysis of actual stack test results and ambient air monitoring data. More specifically, data from three air monitoring stations located downwind from permitted facilities were compared to stack test information from nearby facilities. Based on the distances of the monitoring stations from the facilities, it was determined that by 1,500 feet, emissions had dispersed adequately to protect health and the environment. The issue of the synergistic effect of air pollutants was addressed through the appropriateness weighting process (i.e., overlapping circles, as depicted in the attached map).

The Results

A consideration of environmental justice issues is reflected in the results of the site selection process.

Specifically, the environmental justice-oriented evaluation criteria effectively precluded the identification of potential sites for a transfer station in at least two areas where environmental justice concerns have been previously expressed – Lower Price Hill and Winton Hills.

More generally, one element of environmental justice – providing a meaningful voice to neighborhood residents to influence the siting process – eventually determined the outcome of the process. The leadership of the communities in which potential sites were identified were given the opportunity to directly influence the process. Their message in response was clear – a transfer station would not be acceptable in their respective neighborhoods.

Consequently, those wishes were respected and the City suspended its active search for a transfer station location.

Summary and Conclusions

The City of Cincinnati included the consideration of environmental justice into its site selection process for a solid waste transfer station. Such consideration was reflected in:

- The composition of the citizen-based Site Selection Advisory Committee
- How the citizen group operated
- Use of specific environmental justice criteria
- The results of the process

One of the significant elements of environmental justice – that of giving a meaningful voice to residents to influence the siting decision – was a common denominator throughout the City's process.

Was the City of Cincinnati's transfer station site selection effort a success? That depends on how success is defined. If the sole measure of success was to site a transfer station in a willing host community within Cincinnati, then the project came up short. However, the City employed a community-based site selection process that did identify two locations that were viable in the absence of objections by the closest residents. If circumstances change in the future, we have locations that might be considered in further discussions with the neighbors.

By utilizing siting criteria established by citizens and not imposing a facility upon unwilling neighbors, the City demonstrated its commitment to environmental justice in a clear manner. At this time, when many citizens feel disenfranchised and distrustful of their government, perhaps the outcome constitutes a significant measure of success in its own way.

Attachments:

SSAC roster

Map showing air emission sources and landfills

CITY OF CINCINNATI
SOLID WASTE TRANSFER STATION/RECYCLING FACILITY
SITE SELECTION ADVISORY COMMITTEE

(M=Member A=Alternate S= Substitute)

Bond Hill

Rasheed Simmonds (M)

Rose Nelson (A)

East Walnut Hills

John McHugh (M)

Casey McKinley (A)

East Westwood

Joyce Fairbanks (M)

Engineers & Scientists Serving Greater Cincinnati

George Rowe (M)

Environmental Advisory Council

Daryl Hazel, Sr (M)

James G. Uber (A)

Keep Cincinnati Beautiful

Louise Spiegel (M)

Linda Holterhoff (S)

Lower Price Hill

William Raines (M)

Mill Creek Restoration Project

Stanley Hedeem (M)

Millvale

Lenice Hill (M)

Mt. Lookout

Anthony Giglio (M)

John Romer (S)

Lisa King (S)

Oakley

Mark Sheppard (M)

Jim Walls (A)

Port Authority for Brownfields Redevelopment

Renee Mahaffey-Harris (M)

Thomas Brush (A)

Robin Corathers (S)

Riverside

Ernest (Joe) Mundy (M)

Janet Gilday (A)

Roselawn

Clifford Fullman (M)

Clifford Jones (A)

Sayler Park

Ernst R. Macke (M)

Dennis Cloutier (A)

Sedamsville

Faye Hurrel (M)

West End

Jacqueline Martin-Carr (M)

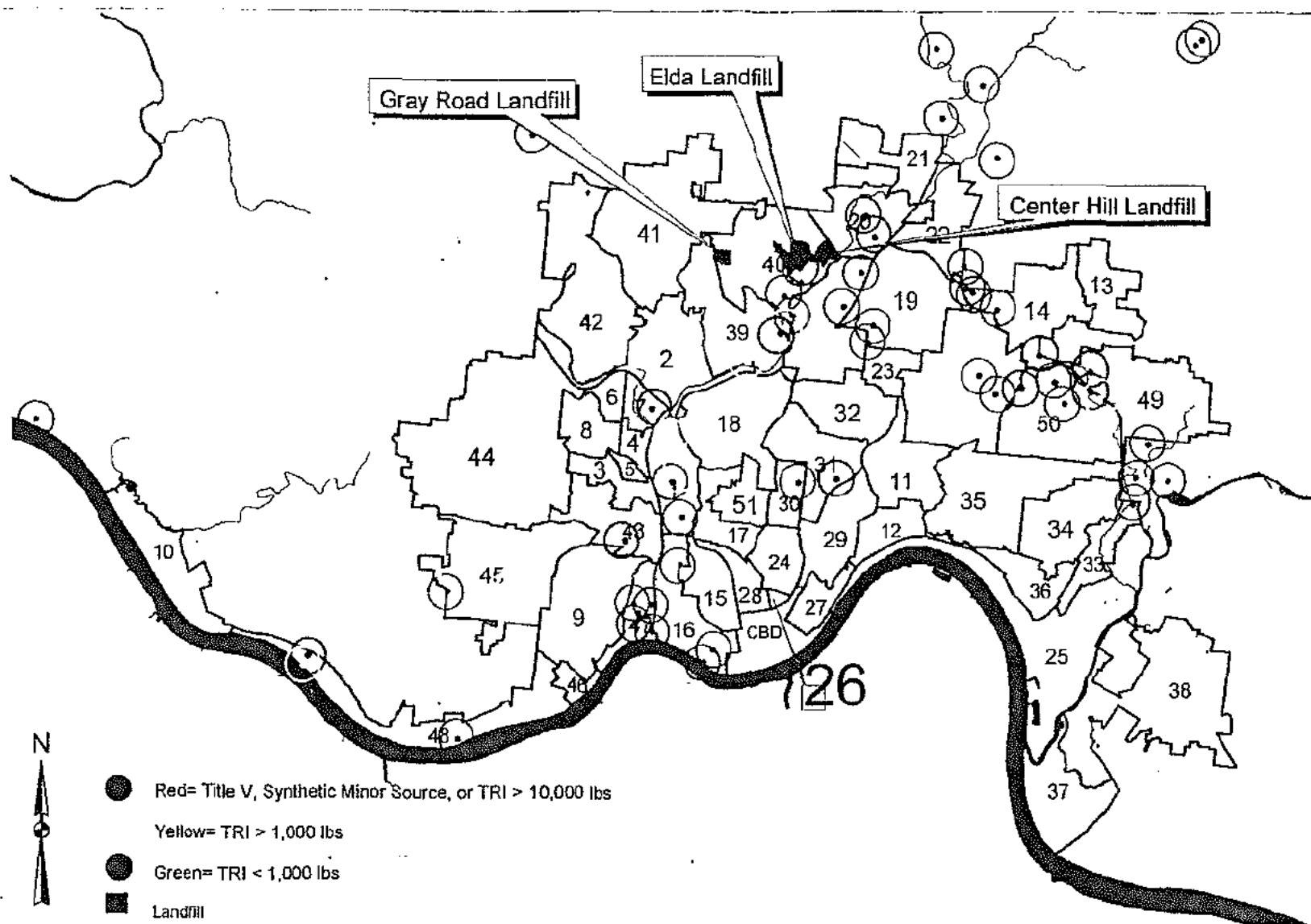
Working In Neighborhoods

Debbie Zureick (M)

Winton Hills

Linda Briscoe (M)

AIR EMISSION SOURCES AND LANDFILLS



June, 2000

W.P.H.

RESOLUTION NO. B. 013 - 2002

URGING the Board of Health of the City of Cincinnati to deny Waste Management of Ohio, Inc. a license to operate a solid waste transfer facility in Winton Hills.

WHEREAS, Waste Management of Ohio, Inc. has applied to the Board of Health of the City of Cincinnati for a license to operate a solid waste transfer facility in Winton Hills; and

WHEREAS, the Board of Health of the City of Cincinnati has authority to license the operation of solid waste transfer facilities pursuant to State law; and

WHEREAS, issuance of a license requires that the Board find that the applicant has a history of compliance with environmental laws in this state and other jurisdictions; and

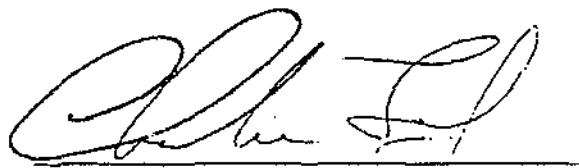
WHEREAS, on February 5, 2002 the Neighborhood & Public Services Committee heard testimony and received documents that raise serious concerns as to whether Waste Management can operate its facilities in full compliance with environmental regulations and in light of such information and the concern for human health and the environment, the City wishes to urge the Board of Health not to issue the license to Waste Management of Ohio;


NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Cincinnati, State of Ohio:

Section 1. Council urges the Board of Health of the City of Cincinnati to deny Waste Management of Ohio, Inc. a license to operate a solid waste transfer facility in Winton Hills.

Section 2. Council directs the Clerk to spread this resolution upon the minutes of Council and to send copies to the Board of Health of the City of Cincinnati. Council further directs the Clerk to send to the Board of Health the record of the proceedings before the Neighborhood & Public Services Committee on February 5, 2002.

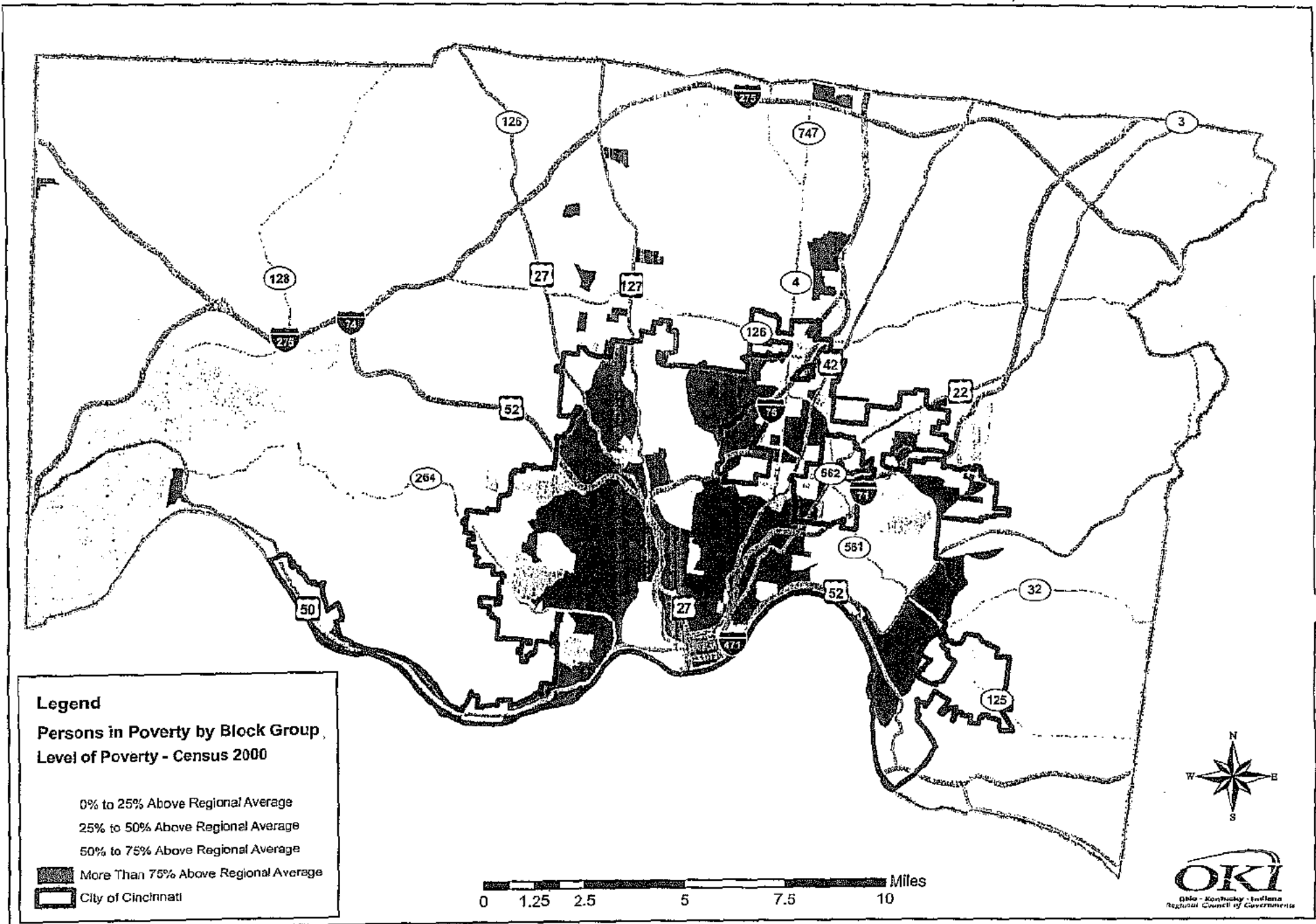
Passed: February 21, 2002


Mayor

Attest: 
Clerk

Submitted by Councilmember Paul M. Booth

Cincinnati and Hamilton County Population in Poverty (EJ)



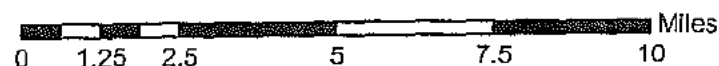
Legend
Minority Population by Block Group
Level of Minority Population - Census 2000

- 0% to 25% Above Regional Average
- 25% to 50% Above Regional Average
- 50% to 75% Above Regional Average
- More Than 75% Above Regional Average
- City of Cincinnati

0 1.25 2.5 5 7.5 10 Miles

OKI
 Ohio • Kentucky • Indiana
 Regional Council of Governments

Minority Population by Block Group
Level of Minority Population - Census 2000

 City of Cincinnati

LEGEND

COMMUNITY COUNCIL BOUNDARIES

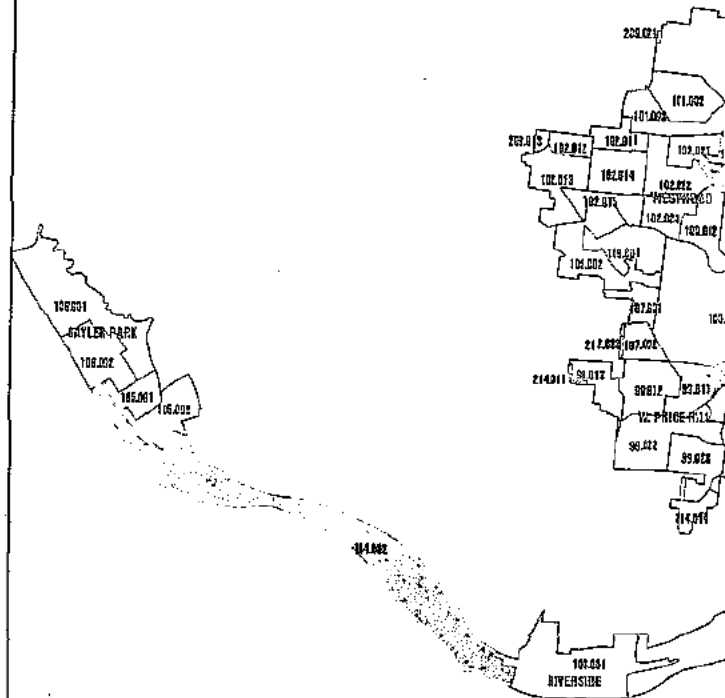
CONTESTED AREA

1 MILE RADIUS

POVERTY 21.9% OR GREATER

BLOCK GROUP

EXAMPLE: TRACT 1, BLOCK GROUP 1 (1.001)

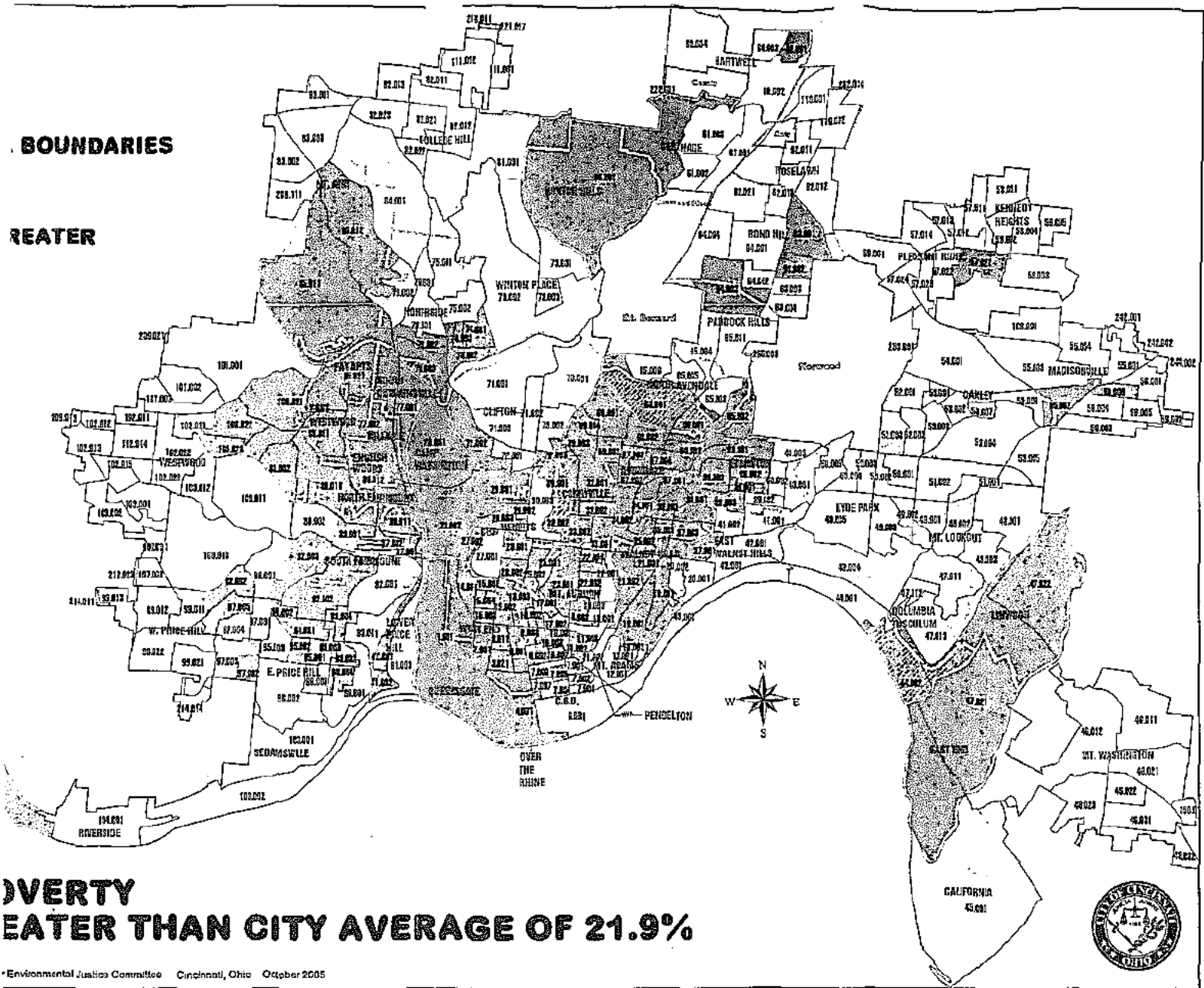


BLOCK GROUP POVERTY EQUAL TO OR GREATER THAN

Prepared by Department of Community Development and Planning for Environmental Justice Committee Cincinnati

BOUNDARIES

FEATER

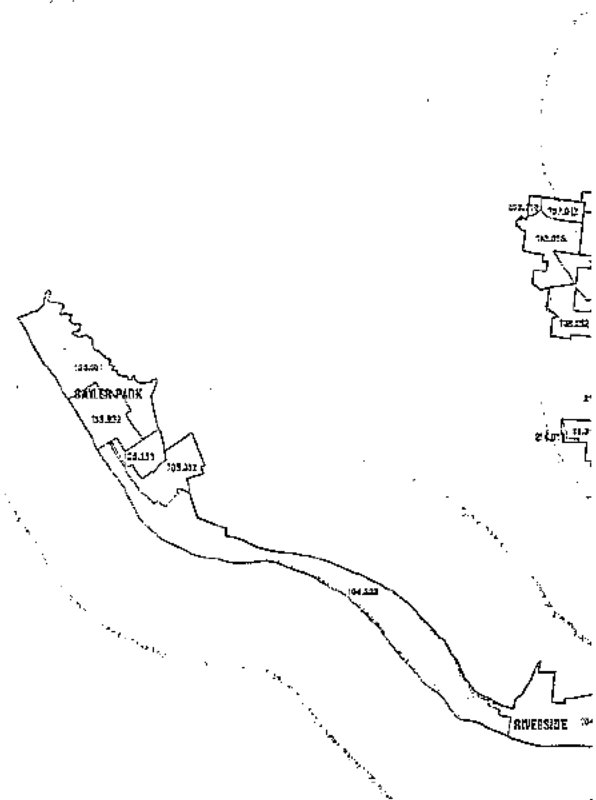


MINORITY 20.6% OR GREATER
(1.5 TIMES THE STATE MINORITY PERCENTAGE (13.7) ; $1.5 \times 13.7\% =$

**1 MILE RADIUS
BLOCK GROUP**

EXAMPLE: TRACT 1, BLOCK GROUP 1 (1.004)

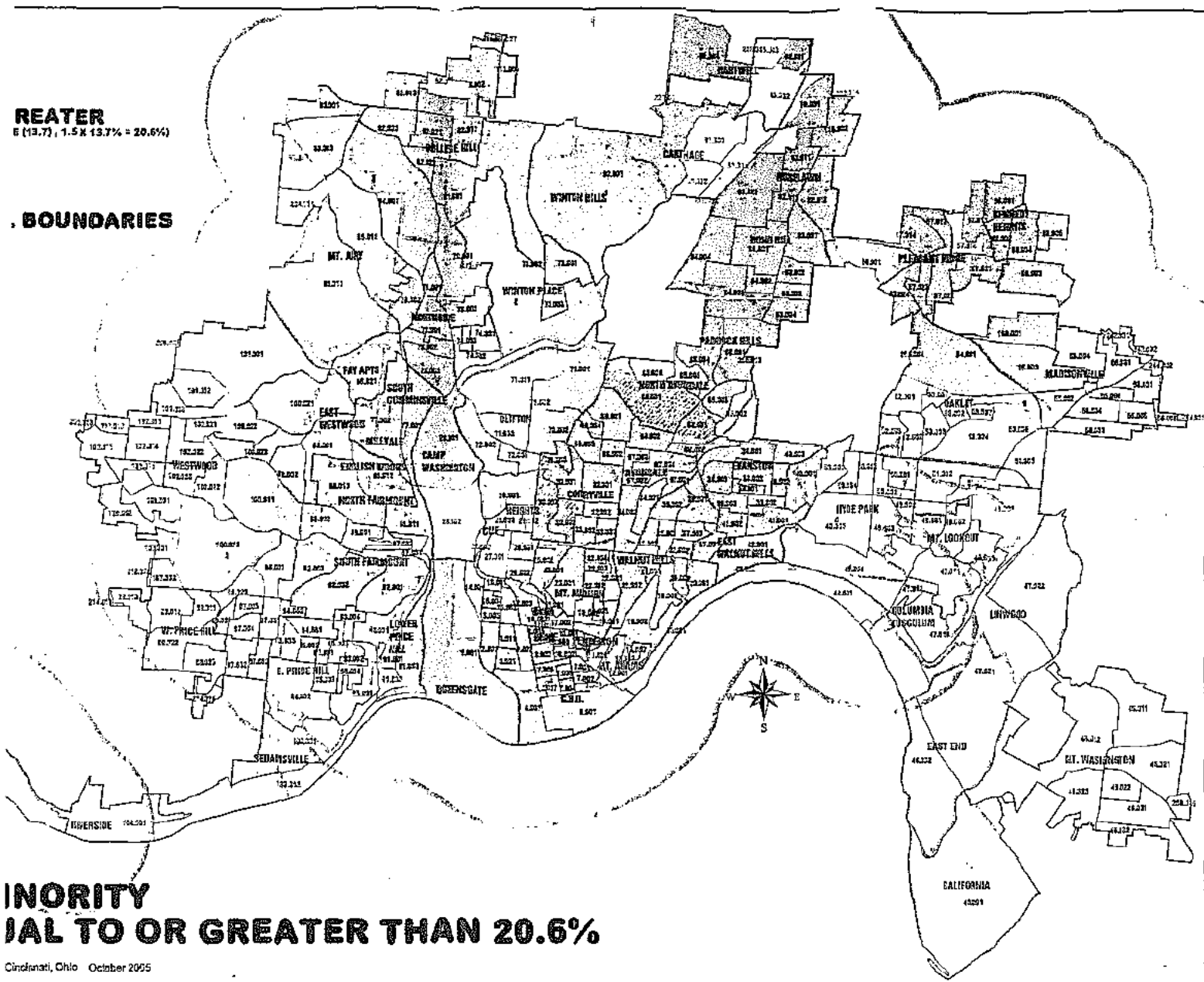
**COMMUNITY COUNCIL BOUNDARY
CONTESTED AREA**



**BLOCK GROUP MINORITY
POPULATION EQUAL TO**

Prepared by Department of Community Development and Planning Cincinnati, Ohio October 1988

BOUNDARIES



**MINORITY
EQUAL TO OR GREATER THAN 20.6%**