

**A RESOLUTION OF COMMENT FROM BREWSTER VILLAGE COUNCIL OBJECTING  
TO A PROPOSED NPDES DISCHARGE PERMIT TO PERMIT THE WHEELING AND  
LAKE ERIE RAILWAY TO DISCHARGE POSSIBLE POLLUTANTS INTO SUGAR  
CREEK, AND DECLARING AN EMERGENCY**

**WHEREAS**, under the National Pollutant Discharge Elimination System (NPDES) Permit Program any planned discharge of potential pollutants into an Ohio waterway an application for a Permit to Discharge must be submitted by any entity to the Ohio EPA Permits Section; and

**WHEREAS**, under the National Pollutant Discharge Elimination System (NPDES) Permit Program any application for a Permit to Discharge the Ohio EPA staff review of the application must include a thirty (30) public comment period; and

**WHEREAS**, a Public Notice (OEPA 15-12-023 DFT) was issued by the Ohio EPA on December 16, 2015 to advise that the Wheeling and Lake Erie Railway in Brewster, Ohio has submitted application for a Permit to Discharge possible pollutants of pH, Oil and Grease, and Total Suspended Solids into Sugar Creek; and

**WHEREAS**, Sugar Creek is the waterway that traverses through the Village of Brewster and above the aquifer that supplies water to the homes of area residents and to two manufacturers of food goods.

**NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE VILLAGE OF BREWSTER, THAT:**

**SECTION 1:** Brewster Village Council would under Public Comment provided by Public Notice OEPA 15-12-023 DFT place an **OBJECTION** to the issuance of a Discharge Permit to allow the Wheeling and Lake Erie Railway in Brewster, Ohio to discharge possible pollutants of pH, Oil and Grease, and Total Suspended Solids into Sugar Creek.

**SECTION 2:** Brewster Village Council requests that the Ohio EPA review the application to ascertain what pollutants and the levels of each that will be discharged into Sugar Creek, identify what measures that the Wheeling and Lake Erie Railway will take to minimize any and all impact on the area Aquifer and the environment in general, and outline what measures will be put in place to prevent any accidental discharges of pollutants beyond any specified limits if the Permit is issued.

**SECTION 3:** If necessary to accomplish the above, Brewster Village Council requests a Public Hearing

**SECTION 4:** This ordinance is to be an emergency to provide comment to the Ohio EPA within the thirty-day comment period, and shall be in full force and effect at the earliest date provided by law.

**PASSED UNDER EMERGENCY** on January 4, 2016

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Mayor Michael E. Schwab

ATTEST:

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Village Clerk Treasurer K. Kris King

CERTIFICATE

I, K. Kris King, hereby certify that the above is a true copy of an ordinance passed at a regular meeting of the Brewster Village Council held on January 4, 2016.

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Clerk K. Kris King

I, K. Kris King, Clerk of the Council of the Village of Brewster, State of Ohio, do hereby certify that there is no newspaper printed in said municipality and that publication of the foregoing ordinance was duly made by posting true copies thereof at five of the most public places in said corporation as determined by Council as follows: Office of Brewster Utilities, Belloni's IGA, Brewster Federal Credit Union, Post Office and Brewster Laundromat.

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Clerk K. Kris King