

Solid Waste Management Districts

House Bill 592 (HB 592), signed into law on June 24, 1988, dramatically revised Ohio's outdated solid waste regulatory program. The law also established a solid waste management planning program to be implemented at both the state and local government levels. The bill emphasized the need to reduce Ohio's reliance on landfills for the disposal of waste by increasing solid waste reuse, recycling and minimization efforts. This fact sheet is one in a series explaining the provisions of HB 592 that make up Ohio's solid waste management planning program.



Applicable Laws

- Ohio Revised Code (ORC) Sections 343.01 and 3734.52 (Forming a solid waste management district (SWMD) and powers of SWMDs).
- ORC Sections 343.011 and 3734.52, (Forming a regional solid waste management authority (authority) and powers of authorities).
- ORC Section 3734.54 (Responsibilities of SWMDs and authorities and composition of policy committee).

Forming Solid Waste Management Districts

Each county in Ohio is required to be in a SWMD, either individually or with one or more other counties. Counties also have the option of forming an authority instead of a SWMD. The primary difference is in the controlling bodies for the SWMD and authority.

To establish a SWMD or an authority, the boards of county commissioners from all counties involved collectively adopt a resolution legally forming the new government body. SWMDs and authorities are closely associated with county government.

An existing SWMD or authority can alter its composition by following a procedure that is prescribed in law. This procedure allows the SWMD or authority to merge with one or more other counties or to split into two or more SWMDs or authorities.

Ohio's 88 counties are currently organized into 52 SWMD and authorities. Of these, 37 have one county and 15 have multiple counties. The breakdown is as follows:

- 33 single county SWMDs;
- 14 joint SWMDs;
- four single county authorities; and
- one joint authority.

Ohio's 15 joint SWMDs and authorities are comprised of from two to six counties.

Responsibilities of SWMDs and Authorities

The main purpose of the SWMD or authority is to prepare and implement a solid waste management plan (plan). The plan is the SWMD's or authority's strategy for achieving the goals of the state solid waste management plan. As part of its plan, the SWMD or authority is also responsible for the safe and sanitary management of all solid waste generated within the SWMD or authority.

Structures of SWMDs and Authorities

SWMDs

As required by law, a SWMD consists of two bodies:

1. the board of county commissioners for a single county SWMD or board of directors for a joint SWMD; and,
2. a policy committee.

The Board of County Commissioners/ Board of Directors

The board of county commissioners has primary responsibility for a single-county SWMD. For a joint SWMD, primary responsibility rests with the board of directors. The board of directors consists of the county commissioners from all of the counties in the SWMD.

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Thus, a joint SWMD with six counties has a board of directors of 18 members. [For simplicity, board is used to refer to both the board of county commissioners and the board of directors].

The board is statutorily charged with implementing the SWMD's plan. Some of the board's other authorities include:

- convening the policy committee;
- adopting and enforcing rules (if authorized by policy committee);
- signing contracts for solid waste services.
- designating the facilities that can accept SWMD-generated waste (if authorized by policy committee);
- billing people, political jurisdictions, and businesses for solid waste services provided by the SWMD.
- establishing rates or charges on properties that receive solid waste services from the SWMD;
- ratifying the solid waste management plan; and,
- appointing employees to run the SWMD.

The Policy Committee

The policy committee's primary responsible is to prepare, adopt, and receive approval for a plan.

The policy committee for a single county SWMD is required, by ORC Section 3734.54(B), to consist of the following seven members:

1. the president of the board of county commissioners;
2. the chief executive officer of the municipal corporation having the largest population within the SWMD;
3. a member representing townships and chosen by a majority of the boards of township trustees within the county;
4. the health commissioner of the health district having the largest territorial jurisdiction within the county;
5. a member representing industrial, commercial, or institutional generators of solid waste;
6. a member representing the general interests of citizens; and,
7. a member representing the public.

The policy committee for a joint SWMD has the same composition as for a single county SWMD with the following exceptions:

- each county is represented by a member from each category (seven members from each county in total); and,
- if there is an even number of counties in the joint SWMD, then the policy committee must include one additional member representing the public.

Thus, the policy committee of a joint SWMD with three counties would have 21 members, and the policy committee for a SWMD with six counties would have 43 members.

In addition to preparing and obtaining approval of the SWMD's plan, the policy committee:

- performs an annual review of the SWMD's progress toward implementing its approved plan;
- authorizes the board to adopt and enforce rules;
- authorizes the board to establish facility designations; and,
- levies disposal and generation fees to provide revenue to the SWMD.

Solid Waste Management Authorities

An authority consists of just one body – the board of trustees. The board of trustees performs the functions of both a SWMD's policy committee and board.

The members that make up a board of trustees are the same as those for a policy committee.

Other Representatives

Staff

A board or board of trustees has the authority to hire staff to manage SWMD operations and programs. The staff retained by SWMDs varies widely depending upon the needs of a specific SWMD.

Most SWMDs employ managers or directors, usually referred to as coordinators, and office administrators to oversee day-to-day functions. Some SWMDs employ project managers, education specialists, law enforcement officers, litter control staff, and collection event coordinators. Other SWMDs employ staff to drive collection vehicles, operate solid waste facilities and sort recovered recyclables.

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Technical Advisory Council

The policy committee and board of trustees have the option of convening a technical advisory council to assist with preparing a plan. A technical advisory council typically is created to advise the policy committee or board of trustees on a specific issue.

ORC Section 3734.54(F) requires a technical advisory council to consist of at least one member representing solid waste hauling and disposal industries. The council may also consist of the following:

- health commissioner not on the policy committee/board of trustees;
- representatives of political jurisdictions not represented on the policy committee;
- representatives of environmental advocacy organizations;
- representatives from the private recycling industry;
- representatives for industrial solid waste generators; and,
- any other members the policy committee considers appropriate.

Related Documents

The Division of Solid and Infectious Waste Management (DSIWM) developed a series of fact sheets describing the requirements from HB 592 that apply to Ohio's solid waste management planning program. The document numbers and titles of other available fact sheets are:

- 0196 – *House Bill 592*
- 0594 – *Ratification of Solid Waste Management District Disposal and Generation Fees*
- 0633 – *Local Solid Waste Management Planning Process*
- 0655 - *Ratification of Solid Waste Management District Solid Waste Management Plans*
- 0658 – *Solid Waste Management Advisory Council*
- 0659 – *State Solid Waste Management Plan*
- 1004 – *Local Solid Waste Management Plans*

The documents listed above and the current state plan can all be found on the SWMD/Planning Page on DSIWM's Web site.

Interested parties can also contact DSIWM to obtain hard copies of the fact sheets and the current state plan.

For More Information

Ohio EPA
Division of Solid and Infectious Waste Management
P.O. Box 1049
Columbus, Ohio 43216-1049
(614) 644-2621 (phone)
(877) 372-2621 (toll free)
(614) 728-5315 (fax)
www.epa.ohio.gov/dsiwm/

For more information about the planning process and solid waste management in your area, contact your local SWMD. To determine what SWMD you live in, use the *Map of Ohio's Solid Waste Management Districts* that is available on the SWMD/Planning Page on DSIWM's Web site.

To contact your SWMD, call or e-mail the coordinator listed on the *SWMD Coordinators and Policy Committee Chairpersons List* that is available on the SWMD/Planning Page on DSIWM's Web site. You can also contact DSIWM to get information about your SWMD.