



State of Ohio Environmental Protection Agency

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JUL 23 2009

CERTIFIED MAIL

The Honorable Stephen D. Hambley, Chairman, Board of Directors
Medina County Solid Waste Management District
144 North Broadway Street
Medina, Ohio 44256-1974

RE: Ohio Revised Code Section 3734.55(C)(1) Medina County Solid Waste Management District Solid Waste Management Plan Approval

Dear Commissioner Hambley:

The Ohio Environmental Protection Agency (Ohio EPA) has reviewed and approved the ratified draft solid waste management plan update (Plan) for the Medina County Solid Waste Management District (District). Director's Final Findings and Orders approving the Plan are enclosed with this letter. Attachment 1 is a summary of the implementation schedule that was derived from the District's Plan.

The District should proceed to implement its approved Plan in accordance with the implementation schedule and timeline contained in the approved Plan and in Attachment 1 to the enclosed Director's Final Findings and Orders. Please be advised that Ohio Revised Code (ORC) Section 3734.55(C)(4) also requires the Policy Committee to "...annually review implementation of the approved plan... and report its findings and recommendations regarding implementation to the board of county commissioners or board of directors of the district."

You are hereby notified that this action of the Director is final and may be appealed to the Environmental Review Appeals Commission pursuant to ORC Section 3745.04. The appeal must be in writing and set forth the action complained of and the grounds upon which the appeal is based. The appeal must be filed with the Environmental Review Appeals Commission within thirty (30) days after notice of this Director's action. The appeal must be accompanied by a filing fee of \$70.00 which the Commission, in its discretion, may reduce if by affidavit you demonstrate that payment of the full amount of the fee would cause extreme hardship. Notice of filing of the appeal shall be filed with the

Ted Strickland, Governor
Lee Fisher, Lieutenant Governor
Chris Korleski, Director

Ohio EPA is an Equal Opportunity Employer

The Honorable Stephen Hambley
Medina County Solid Waste Management District
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Director within three (3) days of filing with the Commission. Ohio EPA requests that a copy of the appeal be served upon the Ohio Attorney General's Office, Environmental Enforcement Section. An appeal may be filed with the Environmental Review Appeals Commission at the following address:

Environmental Review Appeals Commission
309 S. Fourth Street
Room 222
Columbus, Ohio 43215

If you have any questions regarding implementation of the approved Plan, please contact me at (614) 728-5369.

Sincerely,



Channon Cohen
Environmental Specialist 2
Division of Solid and Infectious Waste Management

Enclosures (2): Director's Final Findings and Orders
Attachment 1 to the Findings and Orders

cc (with enclosures): Terrie TerMeer, Deputy Director, ODNR, DRLP
William Strazinsky, Coordinator, Medina County SWMD
Lynn Sowers, Environmental Supervisor, DSIWM-NEDO

BEFORE THE
OHIO ENVIRONMENTAL PROTECTION AGENCY

OHIO E.P.A.

JUL 23 2009

DIRECTOR'S JOURNAL

In the matter of:

Medina County Solid Waste Management District
8700 Lake Road
Seville, Ohio 44273

: Director's Final
: Findings and Orders
:

I. JURISDICTION

These Director's Final Findings and Orders (Orders) are issued to the Medina County Solid Waste Management District (District), pursuant to the authority vested in the Director of the Ohio Environmental Protection Agency (Ohio EPA) under Ohio Revised Code (ORC) Section 3734.55(C).

II. PARTIES

These Orders shall be binding upon the District.

III. DEFINITIONS

Unless otherwise stated, all terms used in these Orders shall have the same meanings as defined in ORC Chapter 3734 and the rules promulgated thereunder.

IV. FINDINGS

The Director of Ohio EPA has determined the following findings:

1. Pursuant to ORC Section 3734.56, a solid waste management district ("SWMD") with an approved solid waste management plan that contains a planning period of fifteen or more years is required to submit an amended solid waste management plan that complies with the requirements in Divisions (A), (B), (D), and (E)(1) of ORC Section 3734.53 to the Director of Ohio EPA on or before the fifth year anniversary of the date the existing solid waste management plan was approved.

I certify this to be a true and accurate copy of the official documents as filed in the records of the Ohio Environmental Protection Agency.

By: *Doreen Lassiter*

Date: 7-23-09

2. The existing solid waste management plan for the District was approved on February 5, 2003 and covers a planning period of fifteen years. The date the District's draft amended solid waste management plan was due to Ohio EPA was February 5, 2008.
3. On February 1, 2008, Ohio EPA received a draft amended solid waste management plan from the policy committee for the District.
4. Pursuant to ORC Section 3734.55, the Director of Ohio EPA is required to provide the policy committee of a SWMD with a written, nonbinding advisory opinion regarding a draft solid waste management plan and any recommended changes to it that the Director considers necessary to effect its approval.
5. On March 17, 2008, Ohio EPA mailed a written, nonbinding advisory opinion concerning the draft amended solid waste management plan received on February 1, 2008 to the District's policy committee.
6. Pursuant to ORC Section 3734.55, the policy committee of a SWMD is required to submit a draft solid waste management plan that has been ratified in accordance with the criteria established in Division (B) of ORC Section 3734.55 to the Director of Ohio EPA to be reviewed for compliance with Divisions (A), (B), (D), and (E)(1) of ORC Section 3734.53.
7. On May 6, 2009, Ohio EPA received a ratified, draft, amended solid waste management plan from the policy committee for the District.
8. The Director has determined that the District's ratified, draft, amended solid waste management plan is in compliance with Divisions (A), (B), (D), and (E)(1) of Section 3734.53 of the ORC.

V. ORDERS

1. The ratified, draft, amended plan of the District that was received by Ohio EPA on May 6, 2009 is hereby approved.
2. The District shall proceed to implement its approved solid waste management plan in accordance with the strategies, programs, and activities described in the ratified, draft, amended solid waste management plan and contained in the implementation schedule included as Attachment 1 to these Orders.

VI. OTHER APPLICABLE LAWS

All actions required to be taken pursuant to these Orders shall be undertaken in accordance with the requirements of all applicable local, state, and federal laws and regulations.

VII. RESERVATION OF RIGHTS

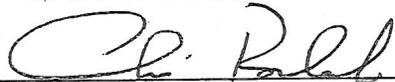
Nothing contained herein shall be construed to prevent Ohio EPA from seeking legal or equitable relief to enforce the terms of these Orders or from taking other administrative, legal, or equitable action as deemed appropriate and necessary, including seeking penalties against the District for noncompliance with these Orders.

Nothing contained herein shall be construed to prevent Ohio EPA from exercising its lawful authority to require the District to perform additional activities pursuant to ORC Chapter 3734 or any other applicable laws in the future. Nothing herein shall restrict the right of the District to raise any administrative, legal, or equitable claim or defense with respect to such further actions which Ohio EPA may seek to require of the District. Nothing in these Orders shall be construed to limit the authority of Ohio EPA to seek relief for violations which may occur.

VIII. EFFECTIVE DATE

The effective date of these Orders is the date these Orders were entered into the Ohio EPA Director's Journal.

IT IS SO ORDERED:



Christopher Korleski, Director
Ohio Environmental Protection Agency

ATTACHMENT 1 TO THE FINDINGS AND ORDERS
Summary of the Implementation Schedule for the
Medina County Solid Waste Management District

Several sections of the ratified, draft, amended solid waste management plan update (Plan) submitted by the Solid Waste Management District or Authority identified above are considered to be part of the implementation schedule required in accordance with Ohio Revised Code Section 3734.53(A)(13). This attachment lists the elements that Ohio EPA understands to constitute the implementation schedule contained in the District's or Authority's Plan. These elements are listed in the table below.

Implementation Schedule for Facilities, Strategies, Programs and Activities

1. Elements of the Plan	2. According to the Plan, when will implementation of this strategy begin and end?	3. Which Goal will this strategy be used to demonstrate compliance with?
Commercial/Industrial Sector TA and Education		
7475 Installation of mixed recyclables collection containers at certain industries (page IV-24 of the plan)	ongoing	Goal 2 Goal 4
4010 Source Reduction Brochure targeted at the industrial sector. Distributed to existing and new industries. (page IV-24 of the plan)	ongoing	Goal 3
Curbside Recycling, Non-subscription		
3607 None		
Curbside Recycling, Subscription		
3608 None		
Drop-off Recycling NC		
2257 Glass igloo drop-off collection (pages IV-10 and V-8 of the plan)	ongoing	Goal 2
Drop-off Recycling, FS, Urban		
2255 Central processing facility recycling drop-off for tires, oil, cardboard, newspaper, glass, cans, plastics, LABs, yard waste, antifreeze, white goods, electronics and thermometers (pages IV-12 and V-8 of the plan)	ongoing	Goal 1 Goal 2
Electronics Collection		
7486 Offer electronics collection at the CPF year round (pages IV-19 and V-10 of the plan)	2006, ongoing	Goal 2

1. Elements of the Plan	2. According to the Plan, when will implementation of this strategy begin and end?	3. Which Goal will this strategy be used to demonstrate compliance with?
Health Dept. Funding/Open Dumps		
3916 Health Department financial assistance for enforcement of solid waste regulations (page VIII-8 of the plan)	ongoing	
Household Hazardous Waste		
7476 Evaluate feasibility of adding permanent HHW collection services at Medina CPF by evaluating other SWMDs that provide a HHW collection site (page V-9 of the plan)	2009	Goal 2 Goal 5
2260 Recycling collection drive for paints, oil, antifreeze, pesticides, misc. chemicals, LABs, scrap tires, etc. Offered twice a year. (pages IV-16 and V-9 of the plan)	ongoing	Goal 2, Goal 5
Lead-Acid Battery Programs		
2264 Year round collection of LABs at CPF; district will increase promotion of this program to achieve more diversion. (pages IV-17 and V-10 of the plan)	ongoing	Goal 5
MRFs		
2267 Central Processing Facility (MRF) transfer station (page IV-6 of the plan)	ongoing	Goal 1 Goal 2 Goal 5
Other Facilities (1)		
2266 Medina County Class I Compost Facility (pages IV-14 and V-8 of the plan)	ongoing	Goal 2
7492 Medina County Class IV Compost Facility (page IV-15 of the plan)	ongoing	Goal 2
Other Programs		
7477 Advertising Analysis - District will evaluate the effectiveness of each advertising method utilized which will include surveying participants at the appliance and electronics recycling collections (page V-10 of the plan)	2009	Goal 3 Goal 4
3912 Appliance Round-up offered two weeks per year (pages IV-19 and V-10 of the plan)	ongoing	Goal 2
7484 Change focus from pelletizing waste to developing an engineered fuel called fluff (page V-13 of the plan)	2008, ongoing	Goal 2
7487 Collect flourescent bulbs at the CPF year round (page V-11 of the plan)	2007, ongoing	Goal 2
7488 Commercial/industrial surveying (page VI-27 of the plan)	ongoing	Goal 2

1. Elements of the Plan	2. According to the Plan, when will implementation of this strategy begin and end?	3. Which Goal will this strategy be used to demonstrate compliance with?
7490 Community Development Grant (pages IV-21 and V-12 of the plan)	ongoing	Goal 1, Goal 2 Goal 3, Goal 4, Goal 5
4011 Equipment replenishment for Medina CPF (pages V-7 and VIII-8 of the plan)	ongoing	Goal 1 Goal 2
7491 Evaluation of need to expand CPF processing capacity (pages V-7 and VI-26 of the plan)	2008-2009	Goal 1 Goal 2
7478 Investigate new uses for MSW product from Class I facility in applications such as commercial, industrial, roadside berm, bio-filter, etc. (page V-8 of the plan)	ongoing	Goal 2
7489 ODNR-Recycling Market Grant - section of District's website will be dedicated to publicizing this program; promote grant program directly with the industrial sector through the District's quarterly surveying efforts (pages V-12 and VI-27 of the plan)	ongoing	Goal 2
Residential Sector Education and Awareness		
2258 CPF used for tours and as a solid waste education center (pages IV-10 and V-7 of the plan)	ongoing	Goal 3 Goal 4
7481 District website used to disseminate information and publicity regarding District events and solid waste management issues (pages IV-23 and V-12 of the plan)	ongoing	Goal 3 Goal 4 Goal 5
7479 Educational presentations and distribution of recycling and reduction information at Medina County Fairgrounds (pages IV-23 and V-12 of the plan)	ongoing	Goal 3 Goal 4
7480 Publicity and advertising through local media outlets for solid waste management issues (pages IV-23 and V-12 of the plan)	ongoing	Goal 3 Goal 4
4009 Source reduction brochure designed for students and residents to educate them about District programs and the CPF (pages IV-23 and V-12 of the plan)	ongoing	Goal 3
Scrap Tire Programs		
2259 Scrap tire collection at HHW collection events (pages IV-18 and V-10 of the plan)	ongoing	Goal 2 Goal 5
7483 Update list of acceptable scrap tire recyclers in the County and region (page VI-27 of the plan)	ongoing	Goal 5
7482 Year round scrap tire collection at CPF (pages IV-18 and V-10)	ongoing	Goal 2 Goal 5
Yard Waste Programs		
7485 District will evaluate new technologies or methods for capturing additional yard waste materials from the CPF process (page VI-26 of the plan)	2010	Goal 2

1. Elements of the Plan	2. According to the Plan, when will implementation of this strategy begin and end?	3. Which Goal will this strategy be used to demonstrate compliance with?
2263 Yard waste composting at Medina County Class IV Compost Facility (pages IV-15 and V-9 of the plan)	ongoing	Goal 2

(1) Other facilities include those landfills, incinerators, compost and transfer stations that are used by the District that are either: under construction or expansion; going through closure; or are owned, operated, or funded by the SWMD.