



State of Ohio Environmental Protection Agency

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June 30, 2010

CERTIFIED MAIL

The Honorable Doug Weisenauer, President, Board of County Commissioners
Crawford County Solid Waste Management District
112 East Mansfield Street, Suite 304
Bucyrus, Ohio 44820-2349

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

Dear Commissioner Weisenauer:

The Ohio Environmental Protection Agency (Ohio EPA) has reviewed and approved the ratified draft solid waste management plan update (Plan) for the Crawford 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 Section 3745.04 of the Ohio Revised Code. 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 Commission within thirty (30) days after notice of the Director's action. The appeal must be accompanied by a filing fee of \$70.00, made payable to "Ohio Treasurer Kevin Boyce," 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 the filing of the appeal shall be filed with the 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:

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

The Honorable Doug Weisenauer
Crawford County Solid Waste Management District
Page 2 of 2

Environmental Review Appeals Commission
309 South Fourth Street, Room 222
Columbus, OH 43215

If you have any questions regarding implementation of the approved Plan, please contact me at (614) 728-5357.

Sincerely,



Channon Cohen-Denson
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
Brian Rockwell, Coordinator, Crawford County SWMD
Mike Reiser, Environmental Supervisor, DSIWM-NWDO

**BEFORE THE
OHIO ENVIRONMENTAL PROTECTION AGENCY**

In the matter of:

Crawford County Solid Waste Management District
5128 Lincoln Highway East
Bucyrus, Ohio 44820

: Director's Final
: Findings and Orders
:

I. JURISDICTION

These Director's Final Findings and Orders (Orders) are issued to the Crawford County Board of Commissioners and the Crawford 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, the policy committee of 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.
2. The existing solid waste management plan for the District was approved on December 30, 2003 and covers a planning period of at least 15 years. The date the District's draft amended solid waste management plan was due to Ohio EPA was December 30, 2008.

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: Denise J. Peoples Date: 6/30/10

OHIO E.P.A.
JUN 30 2010
REGISTERED DIRECTOR'S JOURNAL

3. On December 23, 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 February 6, 2009, Ohio EPA mailed a written, nonbinding advisory opinion concerning the draft amended solid waste management plan to the District's policy committee.
6. On April 9, 2009, Ohio EPA received a quarterly fee report from the District indicating that \$590,000 had been spent in the "County Assistance" category. On May 15, 2009 Ohio EPA received an annual district report from the District indicating that "The County Commissioners have applied a lease to the District as follows: \$250,000 for the year 2007, \$250,000 for the year 2008 and \$30,000 a month starting in January 2009". Subsequent quarterly fee reports submitted to Ohio EPA indicate that a total of \$860,000 was spent in 2009 under the County Assistance category. Communication with the District confirmed that this \$860,000 in expenditures was for payment of the alleged lease.
7. ORC Section 3734.57(G) requires SWMD fee revenues to be put in a "separate and distinct fund to the credit of the district" and expended "in accordance with the district's solid waste management plan." The \$860,000 in expenditures was not in accordance with the District's approved solid waste management plan.
8. Ohio EPA informed the Board of Commissioners for Crawford County that the expenditures described in Finding number 6 were not authorized by the District's approved solid waste management plan in violation of Ohio law, and referred the matter to the Office of the Ohio Attorney General (AGO). On October 23, 2009, the AGO sent a letter to the Crawford County Board of Commissioners indicating that the AGO was prepared to initiate litigation against the District and Commissioners for the violations regarding the unauthorized use of SWMD fee revenue unless a negotiated settlement could be reached. As of the date of these Orders, no settlement has been reached.
9. 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.

10. On June 4, 2010, Ohio EPA received a ratified, draft, amended solid waste management plan (Plan) from the policy committee for the District.
11. The Plan includes budget information indicating that over \$922,101 was spent in 2009 for "contract services". This line item includes the \$860,000 in expenditures referenced in Finding number 6 above. The Plan includes no description or explanation regarding the nature of these expenditures. In addition, the Plan includes no information regarding whether the unauthorized, alleged "lease" payments will be continued.
12. On June 28, 2010, Ohio EPA received a letter from the Board of County Commissioners' legal counsel indicating that the plan "reflect[s] the elimination of lease payments" and that it "is the "Board of Commissioners' intention that this arrangement will continue through the planning period."
13. The Director of Ohio EPA has determined that the District's Plan can be found to be in compliance with Divisions (A), (B), (D), and (E)(1) of Section 3734.53 of the ORC.
14. This determination and these Orders are not intended to be, and shall not be construed to be an approval or endorsement of, or agreement that, the \$922,101 that was spent in 2009 for "contract services" was authorized by the then existing approved solid waste management plan or was otherwise legal and appropriate. In addition, this determination and these Orders are not, and shall not be construed to be, a resolution to the ongoing enforcement action related to these expenditures.
15. These Orders are being issued on the basis that the lease payments, which are not indicated in the Plan, will not be assessed during the duration of the Plan.

V. ORDERS

1. The District's Plan that was received by Ohio EPA on June 4, 2010 is hereby approved in accordance with the provisions of these Orders.
2. All District revenues identified in the Plan, including disposal fee revenues received pursuant to ORC Section 3734.57(B), generation fee revenue received pursuant to ORC Section 3734.573, and revenues from the sale of recyclables, shall be expended in accordance with the approved Plan. In accordance with the approved Plan, no District revenues shall be expended for lease payments for use of the District offices and recycling facility.

3. The District shall proceed to implement its approved Plan in accordance with the strategies, programs, and activities described in the District's 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

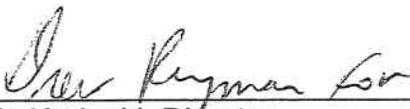
Nothing contained herein shall be construed to prevent Ohio EPA from seeking legal or equitable relief to enforce the terms of these Orders or from taking other administrative, legal, or equitable action as deemed appropriate and necessary, including seeking penalties against the District for noncompliance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



Chris Korleski, Director
Ohio Environmental Protection Agency

ATTACHMENT 1 TO THE FINDINGS AND ORDERS
Summary of the Implementation Schedule for the
Crawford 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?
Buy-Backs, Haulers, and Scrap Yards		
7670 Buyback Recycling Opportunity - Advanced Fiber Technology (page VI-15 of Plan Update)	continuing	Goal 2
7669 Buyback Recycling Opportunity - Holy Trinity Church (page VI-15 of Plan Update)	continuing	Goal 2
7667 Buyback Recycling Opportunity - Innovative Recycling (page VI-15 of Plan Update)	continuing	Goal 2
5119 Crawford County Recycling Center (page VI-15 of Plan Update)	continuing	Goal 1 Goal 2
7668 Scrap yard - Milliron Recycling (page VI-15 of Plan Update)	continuing	Goal 2
Commercial/Industrial Sector TA and Education		
7717 Crawford County Recycling Center Fact Sheet - public information distributed at the Bratwurst Festival, County Fair, etc. [page VI-19 of Plan Update]	continuing	Goal 3 Goal 4
7709 Website - District will include recycling opportunities for and from the commercial sector on its website [page V-8 of Plan Update]	2010	Goal 2 Goal 3 Goal 4
7707 Website - District will include recycling opportunities for and from the industrial sector on its website [page V-8 of Plan Update]	2010	Goal 2 Goal 3 Goal 4

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?
Drop-off Recycling		
7694 Auburn Township/ Tiro Village @ Tiro UMC -- 7:00 am - 11:00 am collection, collected materials include Al cans, steel cans and scrap, glass, mag, plastic #1 and #2, paperboard, OCC, ONP, mixed paper [pages VI-18 and VII-12 of Plan Update]	continuing	Goal 2
7691 Jefferson Township/North Robinson@Col Crawford High School -- 8:00 am - 12:00 pm monthly collection, collected materials include ONP [pages VI-17 and VII-12 of Plan Update]	continuing	Goal 2
Drop-off Recycling, FS, Rural		
7671 Auburn Township Building - 24 hours/day, collected materials include ONP, OCC, Al cans, steel cans and scrap, glass, mag and plastic #1 and #2 [pages VI-15 and VII-12 of Plan Update]	continuing	Goal 1 Goal 2
7679 Todd Township Building-- 24 hours/day, collected materials include ONP, OCC, Al cans, steel cans and scrap, glass, mag and plastic #1 and #2 [pages VI-16 and VII-12 of Plan Update]	continuing	Goal 1 Goal 2
7681 Whetstone Township @ New Winchester Fire -- 24 hours/day, collected materials include ONP, OCC, Al cans, steel cans and scrap, glass, mag and plastic #1 and #2 [pages VI-16 and VII-12 of Plan Update]	continuing	Goal 1 Goal 2
Drop-off Recycling, FS, Urban		
7672 Bucyrus City Hall/Police -- 24 hours/day, collected materials include ONP, OCC, Al cans, steel cans and scrap, glass, mag and plastic #1 and #2 [pages VI-15 and VII-12 of Plan Update]	continuing	Goal 1 Goal 2
7673 Bucyrus High School - - 24 hours/day, collected materials include ONP, OCC, Al cans, steel cans and scrap, glass, mag and plastic #1 and #2 [pages VI-15 and VII-12 of Plan Update]	continuing	Goal 1 Goal 2
7674 Bucyrus/Camp Michael -- 24 hoursday, collected materials include ONP, OCC, Al cans, steel cans and scrap, glass, mag and plastic #1 and #2 [pages VI-16 and VII-12 of Plan Update]	continuing	Goal 1 Goal 2
7675 Bucyrus/Crawford County Recycling Center -- 24 hours/day, collected materials include ONP, OCC, Al cans, steel cans and scrap, glass, mag and plastic #1 and #2 [pages VI-16 and VII-12 of Plan Update]	continuing	Goal 1 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?
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7677 Bucyrus/Lions Field Park - - 24 hours/day, collected materials include ONP, OCC, Al cans, steel cans and scrap, glass, mag and plastic #1 and #2 [pages VI-16 and VII-12 of Plan Update]	continuing	Goal 1 Goal 2
7676 Crestline/Geyer's Fresh Foods - - 24 hours/day, collected materials include ONP, OCC, Al cans, steel cans and scrap, glass, mag and plastic #1 and #2 [pages VI-16 and VII-12 of Plan Update]	continuing	Goal Goal 2
7678 Galion/Peco II Park - 24 hours/day, collected materials include ONP, OCC, Al cans, steel cans and scrap, glass, mag and plastic #1 and #2 [pages VI-16 and VII-12 of Plan Update]	continuing	Goal 1 Goal 2

Drop-off Recycling, PT, Rural

7695 Bucyrus Township/ Wayside Christian School - - 8:00 am - 3:00 pm monthly collection, collected materials include Al cans, steel cans and scrap, glass, mag, plastic #1 and #2, paperboard, OCC, ONP, mixed paper [pages VI-18 and VII-12 of Plan Update]	continuing	Goal 1 Goal 2
7683 Chatfield Township Firehouse - - 8:00 am - 12:00 pm monthly collection, collected materials include Al cans, steel cans and scrap, glass, mag, plastic #1 and #2, paperboard, OCC, ONP, mixed paper [pages VI-17 and VII-12 of Plan Update]	continuing	Goal 1 Goal 2
7690 Cranberry Township/New Washington - - 8:00 am - 12:00 pm monthly collection, collected materials include Al cans, steel cans and scrap, glass, mag, plastic #1 and #2, paperboard, OCC, ONP [pages VI-17 and VII-12 of Plan Update]	continuing	Goal 1 Goal 2
7685 Dallas Township Firehouse - - 7:00 am - 11:00 am monthly collection, collected materials include Al cans, steel cans and scrap, glass, mag, plastic #1 and #2, paperboard, OCC, ONP, mixed paper [pages VI-17 and VII-12 of Plan Update]	continuing	Goal 1 Goal 2
7697 Holmes Township/Wyndford High School 8:00 pm - 12:00 pm and 4:00 pm - 7:00 pm monthly collection, collected materials include Al cans, steel cans and scrap, glass, mag, plastic #1 and #2, paperboard, OCC, ONP [pages VI-18 and VII-12 of Plan Update]	continuing	Goal 1 Goal 2
7688 Jefferson Township/Leesville UMC - - 8:00 am - 12:00 pm monthly collection, collected materials include Al cans, steel cans and scrap, glass, mag, plastic #1 and #2, paperboard, OCC, ONP, mixed paper [pages VI-17 and VII-12 of Plan Update]	continuing	Goal 1 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?
7692 Liberty Township/Sulphur Springs - - 8:00 am - 12:00 pm monthly collection, collected materials include Al cans, steel cans and scrap, glass, mag, plastic #1 and #2, paperboard, OCC, ONP, mixed paper [pages VI-17 and VII-12 of Plan Update]	continuing	Goal 1 Goal 2
7689 Lykens Township/Lykens Township Firehouse - - 4:00 pm - 8:00 pm monthly collection, collected materials include Al cans, steel cans and scrap, glass, mag, plastic #1 and #2, paperboard, OCC, ONP, office paper [pages VI-17 and VII-12 of Plan Update]	continuing	Goal 1 Goal 2
Drop-off Recycling, PT, Urban		
7682 Bucyrus Lincoln Elementary - - 8:00 am - 12:00 pm monthly collection, collected materials include Al cans, steel cans and scrap, glass, mag, plastic #1 and #2, paperboard, OCC, ONP, mixed paper [pages VI-16 and VII-12 of Plan Update]	continuing	Goal 1 Goal 2
7693 Bucyrus/Timken Company - - 24 hour availability one week/month, collected materials include Al cans, steel cans and scrap, glass, mag, plastic #1 and #2, paperboard, OCC, ONP, mixed paper [pages VI-17 and VII-12 of Plan Update]	continuing	Goal 1 Goal 2
7696 Bucyrus/Woodlawn UMC - 8:00 am - 12:00 pm monthly collection, collected materials include Al cans, steel cans and scrap, glass, mag, plastic #1 and #2, OCC, ONP [pages VI-18 and VII-12 of Plan Update]	continuing	Goal 1 Goal 2
7684 Crestline High School - - 4:00 pm - 8:00 pm monthly collection, collected materials include Al cans, steel cans and scrap, glass, mag, plastic #1 and #2, paperboard, OCC, ONP, mixed paper [pages VI-17 and VII-12 of Plan Update]	continuing	Goal 1 Goal 2
7687 Galion Elem/Middle Schools - - 8:00 am - 12:00 pm monthly collection, collected materials include Al cans, steel cans and scrap, glass, mag, plastic #1 and #2, paperboard, OCC, ONP, mixed paper [pages VI-17 and VII-12 of Plan Update]	continuing	Goal 1 Goal 2
7686 Galion Lifetouch Lot - - 8:00 am - 12:00 pm monthly collection, collected materials include Al cans, steel cans and scrap, glass, mag, plastic #1 and #2, paperboard, OCC, ONP, mixed paper [pages VI-17 and VII-12 of Plan Update]	continuing	Goal 1 Goal 2
Financial Incentives/PAYT		
7722 Economic incentives to man drop-off locations [page V-9 of Plan Update]	continuing	Goal 6

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?
Household Hazardous Waste		
7703 Annual spring collection at the Crawford County Recycling Center [pages IV-6 and VI-18 of Plan Update]	continuing	Goal 2 Goal 5
7702 Biyearly collection event at County Fairgrounds [pages V-4 and VI-18 of Plan Update]	continuing	Goal 2 Goal 5
Industrial Recycling and Reduction		
7708 District will promote and offer customized services, such as individual collection of materials, to industrial businesses [page IV-12 of Plan Update]	continuing	Goal 2 Goal 3 Goal 4
7706 Industrial Survey - District will annually survey commercial businesses [pages V-4 and VI-18 of Plan Update]	continuing	Goal 2 Goal 3 Goal 4
Lead-Acid Battery Programs		
7699 Year round lead-acid battery collection at the Crawford County Recycling Center [pages V-3 and VI-18 of Plan Update]	continuing	Goal 2 Goal 5
Other Facilities (1)		
7721 Crawford County Sanitary Landfill - current designation [page VI-20 of Plan Update]	continuing	
Other Programs		
7723 Annual District Report [page V-9 of Plan Update]	continuing	Goal 8
7705 Commercial Survey - District will annually survey commercial businesses [pages V-4 and VI-18 of Plan Update]	continuing	Goal 2 Goal 3 Goal 4
7718 Crawford County Disaster Debris Management [page VI-19 of Plan Update]	continuing	
7710 Wood/wood pallet recycling - District collects wood pallets at the Crawford County Recycling Center year round [page V-7 of Plan Update]	continuing	Goal 2
7701 Year round appliance collection at the Crawford County Recycling Center [pages V-3 and VI-18 of Plan Update]	continuing	Goal 2
7700 Year round used oil collection at the Crawford County Recycling Center [pages V-3 and VI-18 of Plan Update]	continuing	Goal 2
Other Residential/Commercial Recycling		
7704 Commercial Business Recycling Pick-up - District schedules regular pick-ups of paper and OCC from commercial businesses [pages IV-9 and V-8 of Plan Update]	continuing	Goal 2 Goal 4

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?
7719 Feasibility Study of Curbside Recycling for communities in the District - Evaluation Phase; see page VI-5 of Plan Update for details	2010 2011	Goal 1 Goal 2
7720 Feasibility Study of Curbside Recycling for communities in the District - Implementation Phase based on recommendations from evaluation phase; see page VI-5 of Plan Update for details	2012 - 2014	Goal 1 Goal 2
Residential Sector Education and Awareness		
7716 Crawford County Recycling Center Fact Sheet - public information distributed at the Bratwurst Festival, County Fair, etc. [pages IV-4 and VI-19 of Plan Update]	continuing	Goal 3 Goal 4
7715 District Recycling Information Pamphlet - public information distributed at the Bratwurst Festival, County Fair, etc. [pages IV-4 and VI-19 of Plan Update]	continuing	Goal 3 Goal 4
7714 General recycling presentations [page IV-4 of the Plan Update]	continuing	Goal 3 Goal 4
7713 Preparation and Distribution of recycling education materials to groups involved with the recycling collection sites [page IV-4 of Plan Update]	continuing	Goal 3 Goal 4
7712 School Presentations Information Resources - [pages V-8 and VI-19 of Plan Update]	continuing	Goal 3 Goal 4
7711 Tours of Landfill and Crawford County Recycling Center [page V-8 of Plan Update]	continuing	Goal 3 Goal 4
Scrap Tire Programs		
7698 Year round scrap tire collection at the Crawford County Recycling Center [pages V-3 and VI-18 of Plan Update]	continuing	Goal 2 Goal 5
Yard Waste Programs		
7724 Bucyrus Wastewater Treatment Plant/Class IV [page III-13 of Plan Update] -	continuing	Goal 2 Goal 5
7725 Crawford/Santek Yard Waste Facility/Class IV [page III-13 of Plan Update]	continuing	Goal 2 Goal 5
7726 Crestline Composting SW/Class IV [page III-13 of Plan Update]	continuing	Goal 2 Goal 5
7727 Galion City/Class IV [page III-13 of Plan Update]	continuing	Goal 2 Goal 5
7728 New Washington WTP Laboratory/Class IV [page III-13 of Plan Update]	continuing	Goal 2 Goal 5
7729 Oberlanders Tree & Landscape Ltd/Class IV [page III-13 of Plan Update]	continuing	Goal 2 Goal 5

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?
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(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.

