



State of Ohio Environmental Protection Agency

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SEP 28 2010

CERTIFIED MAIL

The Honorable Bill Monaghan, President, Board of County Commissioners
Erie County Solid Waste Management District
2900 Columbus Avenue
Sandusky, Ohio 44870-5554

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

Dear Commissioner Monaghan:

The Ohio Environmental Protection Agency (Ohio EPA) has reviewed and approved the ratified draft solid waste management plan update (Plan) for the Erie 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

The Honorable Bill Monaghan
Erie 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) 728-5357.

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
Lisa Buersken, Coordinator, Erie County SWMD
Mike Reiser, Environmental Supervisor, DSIWM-NWDO

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.

OHIO E.P.A.

SEP 28 2010

By: [Signature] Date: 9-28-10

**BEFORE THE
OHIO ENVIRONMENTAL PROTECTION AGENCY**

ENTERED DIRECTOR'S JOURNAL



In the matter of:

Erie County Solid Waste Management District	:	Director's Final
P.O. Box 469, 554 River Road, Room #122	:	Findings and Orders
Huron, Ohio 44839	:	

I. JURISDICTION

These Director's Final Findings and Orders (Orders) are issued to the Erie 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 March 29, 2004 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 March 29, 2009.

3. On March 26, 2009, 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 May 11, 2009, Ohio EPA mailed a written, nonbinding advisory opinion concerning the draft amended solid waste management plan received on March 26, 2009 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 September 22, 2010 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 September 22, 2010 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

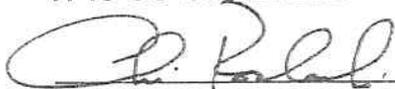
Nothing contained herein shall be construed to prevent Ohio EPA from seeking legal or equitable relief to enforce the terms of these Orders or from taking other administrative, legal, or equitable action as deemed appropriate and necessary, including seeking penalties against the District for noncompliance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



Chris Korleski, Director
Ohio Environmental Protection Agency

ATTACHMENT 1 TO THE FINDINGS AND ORDERS
Summary of the Implementation Schedule for the

Erie 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?
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Commercial/Industrial Sector TA and Education

7852 Erie County Recycling Guide available on webpage or in print upon request [page V-15 of Plan Update]	ongoing	Goal 3 Goal 4
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Curbside Recycling, Non-subscription

7844 Curbside Recycling Initiative - City of Sandusky [pages VII-4 and VII-12 of Plan Update]	2011 through planning period	Goal 1 Goal 2
7841 Curbside Recycling Initiative - Huron Township [pages VII-4 and VII-12 of Plan Update]	2011 through planning period	Goal 1 Goal 2
7843 Curbside Recycling Initiative - Margaretta Township [pages VII-4 and VII-12 of Plan Update]	2011 through planning period	Goal 1 Goal 2
7842 Curbside Recycling Initiative - Perkins Township [pages VII-4 and VII-12 of Plan Update]	2011 through planning period	Goal 1 Goal 2
1217 Huron City [page VII-12 of Plan Update]	ongoing	Goal 1 Goal 2

Curbside Recycling, Subscription

1222 City of Sandusky [pages VII-4 and VII-12]	ongoing through 2010	Goal 1 Goal 2
7845 Margaretta Township [pages VII-4 and VII-12]	ongoing through 2010	Goal 1 Goal 2
7848 Milan Township [page VII-12 of Plan Update]	ongoing through 2010	Goal 1 Goal 2
7849 Milan Village [page VII-12 of Plan Update]	ongoing through 2010	Goal 1 Goal 2
1219 Perkins Township [pages VII-4 and VII-12]	ongoing through 2010	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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7846 Village of Castalia [page VII-13 of Plan Update] - contingency plan

2013 through planning period

Goal 1
Goal 2

Drop-off Recycling

4573 Available to Commercial Sector [page VII-10 of Plan Update]

ongoing

Goal 1
Goal 2

Drop-off Recycling, FS, Urban

1228 Bay View [page VII-5 and VII-13 of Plan Update] - part of contingency plan

2013 through planning period

Goal 1
Goal 2

1227 Erie County Services Center (Perkins Township) [pages VII-4 and VII-12 of Plan Update]

ongoing through 2010

Goal 1
Goal 2

7850 Erie County Services Center (Perkins Township) [pages VII-5 and VII-13 of Plan Update] - part of contingency plan

2013 through planning period

Goal 1
Goal 2

3768 Margaretta Township [pages VII-5 and VII-13 of Plan Update] - contingency plan

2013 through planning period

Goal 1
Goal 2

3776 Osborn Park (Huron Township) [pages VII-4 and VII-12 of Plan Update]

ongoing

Goal 1
Goal 2

1235 Sandusky City Greenhouse [pages VII-5 and VII-13 of Plan Update] - contingency plan

2013 through planning period

Goal 1
Goal 2

1236 Sandusky City Services Complex [pages VII-5 and VII-13 of Plan Update] - contingency plan

2013 through planning period

Goal 1
Goal 2

4564 Sandusky East [pages VII-5 and VII-13 of Plan Update] - contingency plan

2013 through planning period

Goal 1
Goal 2

1229 Vermillion Township [pages VII-4 and VII-13 of Plan Update]

ongoing

Goal 1
Goal 2

Drop-off Recycling, PT, Rural

1223 Berlin Township/Berlin Hts. [pages VII-4 and VII-12 of Plan Update]

ongoing

Goal 1
Goal 2

1233 Erie County Landfill (Milan Township) [pages VII-4 and VII-12 of Plan Update]

ongoing

Goal 1
Goal 2

1224 Florence Township [pages VII-4 and VII-12 of Plan Update]

ongoing

Goal 1
Goal 2

1225 Groton township [pages VII-4 and VII-12 of Plan Update]

ongoing

Goal 1
Goal 2

1232 Milan Village [pages VII-5 and VII-13] - contingency plan

2013 through planning period

Goal 1
Goal 2

1226 Oxford township [pages VII-4 and VII-12 of Plan Update]

ongoing

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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Household Hazardous Waste

1254 List of legal, used oil recycling opportunities [page V-18 of Plan Update]	ongoing	Goal 5
7837 Offer biannual HHW collection events when practical [pages VI-23 and VIII-4 of Plan Update]	ongoing	Goal 5

Household Hazardous Waste Programs

1255 Household battery collection by District [page V-19 of the Plan Update]	ongoing	Goal 5
1256 Prepare, publish and distribute informational assistance for HHW and alternatives [page V-19 of the Plan Update]	ongoing	Goal 5

Industrial Recycling and Reduction

7839 Annual survey of industries [page V-21 of Plan Update]	ongoing	Goal 2
7851 Erie County Recycling Guide available on webpage or in print upon request [page V-15 of Plan Update]	ongoing	Goal 3 Goal 4
7840 Inform industries about recycling, reuse and composting opportunities through existing communication channels such as Chamber of Commerce newsletter [page V-21 of Plan Update]	ongoing	Goal 4
4574 Utilize annual survey of industries to distribute source reduction information [page V-21 of Plan Update]	ongoing	Goal 3

Lead-Acid Battery Programs

7836 List of LAB recycling opportunities available in Erie County [page V-15 of Plan Update]	ongoing	Goal 5
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Other Facilities (1)

4563 Erie County Landfill [page VI-24 of Plan Update]	ongoing	
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Other Programs

7830 Bin Loan Program for Special Venue Recycling - offered to municipalities, organizations and non-profits for recycling at special venues (page V-13 of Plan Update)	started 2008, ongoing	Goal 2 Goal 4
7829 Curbside Food Waste Composting - program to encourage food waste composting in residential and commercial sectors (page V-8 of Plan Update)	ongoing	Goal 2
7838 Economic Incentive - promote programs that incorporate economic incentives such as PAYT programs, Recycle Bank, etc [page V-19 of Plan Update]	ongoing	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?
7832 Establish an education and awareness plan to target the five audiences - residents, schools, industries, institutions and commercial businesses and communities and political leaders [pages V-15 and VI-22 of the Plan Update]	2010 through planning period	Goal 3 Goal 4
4572 Program to encourage government and school purchases of recycled content materials [page V-20 of Plan Update]	ongoing	Goal 7
7831 School Recycling Program - with aid from ODNR, District provides 8 schools with their own drop-off recycling programs (pages V-13 and VI-23 of Plan Update)	started 2008, ongoing	Goal 2 Goal 4
4569 Web site [page VI-22 of Plan Update]	ongoing	Goal 3, Goal 4
Other Residential/Commercial Recycling		
1238 Commercial recycling - includes surveying by District and District providing information on outlets and District providing outlets for some materials [page IV-5 and V-6]	ongoing	Goal 2
4565 SWMD special collections- collections for materials not accepted in usual recycling programs; materials vary with markets [page VI-22 of Plan Update]	ongoing	Goal 2
Residential Sector Education & Awareness Programs		
1240 Environmental education and awareness is offered through programming, displays and newsletters [page V-15 of Plan Update]	ongoing	Goal 3 Goal 4
1244 Erie County Recycling Guide available on webpage or in print upon request [page V-15 of Plan Update]	ongoing	Goal 3 Goal 4
Scrap Tire Programs		
1252 List of legal scrap tire recycling & disposal opportunities in Erie County [page V-17 of Plan Update]	ongoing	Goal 5
7833 Scrap tire drop-off - paid user drop-off location at Erie County Sanitary Landfill for scrap tires (page V-17 of Plan Update)	ongoing	Goal 5
Yard Waste Programs		
1258 Barnes Nursery compost facility [page V-18 of Plan Update]	ongoing	Goal 2 Goal 5
1259 Land application of leaves by various political subdivisions [page IV-13 of Plan Update]	ongoing	Goal 2 Goal 5
7834 Yard waste outlets will be included in the Erie County Recycling Guide available on webpage or in print upon request [page V-15 of Plan Update]	ongoing	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.