



**Environmental  
Protection Agency**

John R. Kasich, Governor  
Mary Taylor, Lt. Governor  
Scott J. Nally, Director

**CERTIFIED MAIL**

October 6, 2011

The Honorable Thomas Wheaton, Chairman, Board of Directors  
Carroll, Columbiana and Harrison Joint Solid Waste Management District  
119 South Lisbon Street – Suite 201  
Carrollton, Ohio 44615-1429

**RE: Ohio Revised Code Section 3734.55(C)(1) Carroll, Columbiana and Harrison  
Joint Solid Waste Management District Solid Waste Management Plan  
Approval**

Dear Commissioner Wheaton:

The Ohio Environmental Protection Agency (Ohio EPA) has reviewed and approved the ratified draft solid waste management plan update (Plan) for the Carroll, Columbiana and Harrison Joint 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 Honorable Thomas Wheaton  
Carroll, Columbiana and Harrison Joint Solid Waste Management District  
Page 2 of 2

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:

Environmental Review Appeals Commission  
77 South High Street, 17<sup>th</sup> Floor  
Columbus, Ohio 43215

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

Sincerely,

 For  
Channon Cohen-Denson  
Environmental Specialist 2  
Division of Material and Waste Management

CCD/jms

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

cc (with enclosures): James Swoger, Mayor of East Liverpool, Chairperson  
Terrie TerMeer, Deputy Director, ODNR, DRLP  
Chris Jacobs, Director, Carroll, Columbiana and Harrison Joint  
SWMD  
Lynn Sowers, Environmental Supervisor, DSIWM-NEDO  
Steve Rhine, Environmental Supervisor, DSIWM-SEDO

OHIO E.P.A.

OCT -6 2011

BEFORE THE  
**OHIO ENVIRONMENTAL PROTECTION AGENCY**

ENTERED DIRECTOR'S JOURNAL

In the matter of:

Carroll, Columbiana and Harrison Joint  
Solid Waste Management District  
618 Canton Road, Suite B  
Carrollton, OH 44615

...this to be a final finding of  
official document of the Ohio  
Environmental Protection Agency  
**Director's Final  
Findings and Orders**

 Date 10/6/2011

**I. JURISDICTION**

These Director's Final Findings and Orders (Orders) are issued to the Carroll, Columbiana and Harrison Joint 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 May 26, 2005 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 May 26, 2010.

3. On May 18, 2010, 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 July 2, 2010, Ohio EPA mailed a written, nonbinding advisory opinion concerning the draft amended solid waste management plan received on May 18, 2010 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 July 19, 2011 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 July 19, 2011 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**

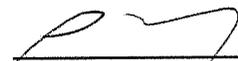
Nothing contained herein shall be construed to prevent Ohio EPA from seeking legal or equitable relief to enforce the terms of these Orders or from taking other administrative, legal, or equitable action as deemed appropriate and necessary, including seeking penalties against the District for noncompliance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

  
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Scott Nally, Director  
Ohio Environmental Protection Agency

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

Carroll, Columbiana and Harrison Joint 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?
<b>Commercial/Industrial Sector TA and Education</b>		
8350 "Simple Steps" brochure - brochure for businesses and industries that provides steps on how to reduce waste [page IV-26 and Table VI-5 of Plan Update]	ongoing	Goal 3
8339 Brochure - District provides brochure that maintains a list of locations where businesses can recycle [page IV-14 and Table VI-5 of Plan Update]	ongoing	Goal 3, Goal 4
8340 District assistance - provided to commercial businesses to show them the benefit of recycling, waste prevention, reduction and how to set-up a profitable recycling program [page IV-14 and Table VI-5 of Plan Update]	ongoing	Goal 3, Goal 4
8354 District website - contains resource guide and a list of recycling facilities available for commercial businesses and industries [page IV-26 and Table VI-5 of Plan Update]	ongoing	Goal 3 Goal 4
8335 Environmental educator - District contracts with educator to promote recycling, source reduction and pre-cycling through presentations for businesses [page IV-12 and Table VI-5 of Plan Update]	ongoing	Goal 3 Goal 4
8353 Waste audits - District meets with businesses and industries to provide waste audits that will help them establish a waste reduction program [ page IV-26 and Table VI-5 of Plan Update]	ongoing	Goal 3
<b>Curbside Recycling, Non-subscription</b>		
5072 Carroll County, Center Township: Carrollton Village PAYT program offered by J&J Refuse [Table VI-5 and Table VII-2a of Plan Update]	ongoing	Goal 1, Goal 2
8359 Columbiana County, East Liverpool [Table VI-5 and Table VII-2b of Plan Update]	2009, 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?
8360 Columbiana County, Lewis Refuse - includes service to 5,000 HH in Columbiana County [Table VI-5 and Table VII-2b of Plan Update]	ongoing	Goal 1 Goal 2
<b>Curbside Recycling, Subscription</b>		
5035 Columbiana County, Salem City - program provided by Republic [Table VI-5 and Table VII-2b of Plan Update]	ongoing	Goal 1, Goal 2
<b>Drop-off Recycling, FS, Rural</b>		
5084 Carroll County, Augusta Township [Table VI-5 and Table VII-2a of Plan Update]	ongoing	Goal 1, Goal 2
5074 Carroll County, Center Township: Carrollton Village [Table VI-5 and Table VII-2a of Plan Update]	ongoing	Goal 1, Goal 2
5089 Carroll County, Fox Township - Mechanicstown [Table VI-5 and Table VII-2a of Plan Update]	ongoing	Goal 1, Goal 2
5092 Carroll County, Harrison Township - New Harrisburg [Table VI-5 and Table VII-2a of Plan Update]	ongoing	Goal 1, Goal 2
5086 Carroll County, Lee Township - Harlem Springs Township [Table VI-5 and Table VII-2a of Plan Update]	ongoing	Goal 1, Goal 2
5087 Carroll County, Loudon Township - Kilgore [Table VI-5 and Table VII-2a of Plan Update]	ongoing	Goal 1, Goal 2
5085 Carroll County, Monroe Township - Dellroy Village [Table VI-5 and Table VII-2a of Plan Update]	ongoing	Goal 1, Goal 2
5088 Carroll County, Orange Township - Leesville Village [Table VI-5 and Table VII-2a of Plan Update]	ongoing	Goal 1, Goal 2
5091 Carroll County, Orange Township - Sherrodsville Village [Table VI-5 and Table VII-2a of Plan Update]	ongoing	Goal 1, Goal 2
5090 Carroll County, Perry Township - Perrysville [Table VI-5 and Table VII-2a of Plan Update]	ongoing	Goal 1, Goal 2
5068 Columbiana County, Middleton Township - Rogers Village [Table VI-5 and Table VII-2b of Plan Update]	ongoing	Goal 1, Goal 2
5059 Columbiana County, Wayne Township [Table VI-5 and Table VII-2b of Plan Update]	ongoing	Goal 1, Goal 2
5051 Columbiana County, Butler Township [Table VI-5 and Table VII-2b of Plan Update]	ongoing	Goal 1, Goal 2
5062 Columbiana County, Elkrun Township [Table VI-5 and Table VII-2b of Plan Update]	ongoing	Goal 1, Goal 2
5058 Columbiana County, Franklin Township - Summitville Village [Table VI-5 and Table VII-2b of Plan Update]	ongoing	Goal 1, Goal 2
5064 Columbiana County, Hanover Township - Guilford Lake [Table VI-5 and Table VII-2b 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?
5053 Columbiana County, Hanover Township - Hanoverton Village [Table VI-5 and Table VII-2b of Plan Update]	ongoing	Goal 1, Goal 2
5066 Columbiana County, Knox Township [Table VI-5 and Table VII-2b of Plan Update]	ongoing	Goal 1, Goal 2
5060 Columbiana County, Madison Township [Table VI-5 and Table VII-2b of Plan Update]	ongoing	Goal 1, Goal 2
7360 Columbiana County, Middleton Township - Beaver Creek [Table VI-5 and Table VII-2b of Plan Update]	ongoing	Goal 1, Goal 2
8361 Columbiana County, Middleton Township [Table VI-5 and Table VII-2b of Plan Update]	ongoing	Goal 1, Goal 2
5069 Columbiana County, Washington Township - Salineville Village [Table VI-5 and Table VII-2b of Plan Update]	ongoing	Goal 1, Goal 2
5071 Columbiana County, West Township [Table VI-5 and Table VII-2b of Plan Update]	ongoing	Goal 1, Goal 2
5093 Harrison County, Monroe Township - Bowerstown Village [Table VI-5 and Table VII-2c of Plan Update]	ongoing	Goal 1, Goal 2
5095 Harrison County, Cadiz Township - Cadiz Village [Table VI-5 and Table VII-2c of Plan Update]	ongoing	Goal 1, Goal 2
5096 Harrison County, Freeport Township - Freeport Village [Table VI-5 and Table VII-2c of Plan Update]	ongoing	Goal 1, Goal 2
5097 Harrison County, Green Township - Hopedale Village [Table VI-5 and Table VII-2c of Plan Update]	ongoing	Goal 1, Goal 2
5100 Harrison County, North Township - Scio Village [Table VI-5 and Table VII-2c of Plan Update]	ongoing	Goal 1, Goal 2
5098 Harrison County, Rumley Township - Jewett Village [Table VI-5 and Table VII-2c of Plan Update]	ongoing	Goal 1, Goal 2
<b>Drop-off Recycling, FS, Urban</b>		
8362 Carroll County, Brown Township - Lake Mohawk [Table VI-5 and Table VII-2b of Plan Update]		
5079 Carroll County, Brown Township - Malvern Village [Table VII-2a of Plan Update]	ongoing	Goal 1, Goal 2
5044 Columbiana County Unity TWP #2 - New Waterford Village [Table VI-5 and Table VII-2b of Plan Update]	ongoing	Goal 1, Goal 2
5045 Columbiana County Unity TWP #3 [Table VI-5 and Table VII-2b of Plan Update]	ongoing	Goal 1, Goal 2
8329 Columbiana County Unity TWP #4 - JDS Landscaping [Table VI-5 and Table VII-2b of Plan Update]	2009	Goal 1, Goal 2
5043 Columbiana County, Unity TWP #1 - East Palestine [Table VI-5 and Table VII-2b 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?
5046 Columbiana County, Center Township - Lisbon Village [Table VI-5 and Table VII-2b of Plan Update]	ongoing	Goal 1, Goal 2
5038 Columbiana County, East Liverpool City #1 [Table VI-5 and Table VII-2b of Plan Update]	ongoing	Goal 1, Goal 2
5039 Columbiana County, East Liverpool City #2 [Table VI-5 and Table VII-2b of Plan Update]	ongoing	Goal 1, Goal 2
5041 Columbiana County, Fairfield TWP #1 - Columbiana City [Table VI-5 and Table VII-2b of Plan Update]	ongoing	Goal 1, Goal 2
5042 Columbiana County, Fairfield TWP #2 [Table VI-5 and Table VII-2b of Plan Update]	ongoing	Goal 1, Goal 2
5040 Columbiana County, Liverpool Township [Table VI-5 and Table VII-2b of Plan Update]	ongoing	Goal 1, Goal 2
5047 Columbiana County, Perry Township - Salem City [Table VI-5 and Table VII-2b of Plan Update]	ongoing	Goal 1, Goal 2
5049 Columbiana County, Salem Township - Leetonia Village [Table VI-5 and Table VII-2b of Plan Update]	ongoing	Goal 1, Goal 2
6959 Columbiana County, Salem Township [Table VI-5 and Table VII-2b of Plan Update]	ongoing	Goal 1, Goal 2
5036 Columbiana County, St. Clair Township #1 [Table VI-5 and Table VII-2b of Plan Update]	ongoing	Goal 1, Goal 2
5037 Columbiana County, St. Clair TWP #2 - Calcutta [Table VI-5 and Table VII-2b of Plan Update]	ongoing	Goal 1, Goal 2
5048 Columbiana County, Yellow Creek Township - Wellsville Village [Table VI-5 and Table VII-2b of Plan Update]	ongoing	Goal 1, Goal 2
<b>Electronics Collection</b>		
5106 Annual electronic collection - collection of televisions, VCRs, computers and other assorted electronic items in each county; combined with appliance and scrap metal recycling event [page IV-8 and Table VI-5 of Plan Update]	ongoing	Goal 1, Goal 5
8331 Publish lists of local and national outlets for electronics recycling in informational brochure and District website [page IV-9 and Table VI-5 of Plan Update]	ongoing	Goal 4
<b>Household Hazardous Waste</b>		
8342 Annual HHW collection events - District will offer one annual HHW collection event on a rotating basis in each county [page V-14 and Table VI-5 of Plan Update]	ongoing	Goal 2, Goal 5
8343 CitySweep - District will work with Heritage WT1 and East Liverpool City to maintain this program [page V-14 and Table VI-5 of Plan Update]	ongoing	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?
8344 Household hazardous waste information - District will provide data on safe HHW disposal and "environmentally friendly" substitutes via flyer that is available at public outlets and on District website [page V-14 and Table VI-5 of Plan Update]	ongoing	Goal 5
5207 Used Oil Informational - provide a brochure containing used motor oil collection sites and list of sites on District website [page V-14 and Table VI-5 of Plan Update]	ongoing	Goal 5
<b>Industrial Recycling and Reduction</b>		
8355 Industrial recycling [Table VI-5 of Plan Update]	ongoing	Goal 2
8349 Industrial survey - survey industries regarding recycling programs every three years [Table VI-5 of Plan Update]	ongoing	Goal 2
<b>Lead-Acid Battery Programs</b>		
8346 Lead-acid battery recycling - provide a brochure containing lead-acid battery collection sites and list of sites on District website [page IV-22 and Table VI-5 of Plan Update]	ongoing	Goal 5
<b>Market Development Programs</b>		
8345 "Buy Recycled Program" - District may implement provided additional funding is available; program will encourage the purchase of recycled content material for public entities like schools, townships, villages and cities [page V-15]	if funding allows	Goal 7
<b>Other Facilities (1)</b>		
8356 Columbiana County, Class IV Compost Facility - JDS Trucking Inc [Table VI-5 of Plan Update]	ongoing	Goal 2
8357 Harrison County, Class IV Compost Facility - Cadiz WTP [Table VI-5 of Plan Update]	ongoing	Goal 2
8358 Harrison County, Class IV Compost Facility - Hopedale Village Landfill [Table VI-5 of Plan Update]	ongoing	Goal 2
<b>Other Programs</b>		
8341 Encourage volume-based refuse collection - District will target communities to encourage a combined contract for waste and recycling services [page IV-19 and Table VI-5 of Plan Update]	ongoing	Goal 1, Goal 2
<b>Other Residential/Commercial Recycling</b>		
5107 Annual appliance and scrap metal recycling collection - one day event offered in each county [page IV-7 and Table VI-5 of Plan Update]	ongoing	Goal 1
8333 Christmas tree recycling program - annually provide drop-off sites for christmas tree recycling [page IV-11 and Table VI-5 of Plan Update]	ongoing	Goal 1

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?
5110 Commercial recycling programs [Table VI-12 of Plan Update]	ongoing	Goal 1, Goal 2
8348 Commercial survey - survey commercial businesses regarding recycling programs every three years [Table VI-5 of Plan Update]	ongoing	Goal 2
<b>Residential Sector Education and Awareness</b>		
5116 "Don't bag it" and home composting - promoted through presentations to local civic groups and displays at local fairs, information also available at various public locations and District website [page IV-11 and Table VI-5 of Plan Update]	ongoing	Goal 3 Goal 5
8336 Brochure - District provides brochure that maintains a list of locations where residents can recycle [page IV-13 and Table VI-5 of Plan Update]	ongoing	Goal 4
8334 Environmental educator - District contracts for educator to promote recycling, source reduction and pre-cycling through presentations at area schools, civic and community groups [page IV-12 and Table VI-5 of Plan Update]	ongoing	Goal 3 Goal 4
8332 Provides information about licensed scrap tire recovery facilities in informational brochures and District website [page IV-9 and Table VI-5 of Plan Update]	ongoing	Goal 4 Goal 5
<b>Scrap Tire Programs</b>		
5109 Annual scrap tire collection event in each county - residents are charged a minimal fee [page IV-9 and Table VI-5 of Plan Update]	ongoing	Goal 1, Goal 5
8330 Publish lists of scrap yard locations in informational brochure and District website [page IV-7 and Table VI-5 of Plan Update]	ongoing	Goal 4
<b>Web Page and Social Media</b>		
8337 District website - lists information about District programs, locations for residents, businesses and industries to recycle, compost, precycle, etc. [page IV-13 and Table VI-5 of Plan Update]	ongoing	Goal 3, Goal 4
8347 Media - District utilizes local newspapers, Chambers of Commerce newsletters for press releases and advertising that promote and encourages waste reduction and recycling [page IV-13 and Table VI-5 of Plan Update]	ongoing	Goal 3 Goal 4