

**Summary Minutes  
Solid Waste Management Advisory Council (SWAC)  
August 18, 2005  
High Banks Metro Park  
9466 Columbus Pike  
Lewis Center, OH 43035**

**The Following Members Announced Their Attendance at Roll Call:**

James Gilliland, Counties  
Karl Graham, Municipalities  
Dan Harris, EPA's Director's Designee  
Steve Hill, Industrial Generators  
Sean Logan, Counties  
Mike Long, Single County SWMDs  
Kathy Trent, Private Solid Waste Management  
Tim Wasserman, Joint County SWMDs

**The Following Members Were Also in Attendance:**

Ron Kolbash, ODNR Director's Designee [approximate arrival: 10:30 a.m.]

**May 19, 2005 Meeting Minutes**

Approval of the May 19, 2005 meeting minutes was postponed due to the lack of a quorum for today's meeting.

**Dan Harris, Update on Legislative/DSIWM Issues**

Mr. Harris concentrated on updates for Ohio House Bill 66 for this portion of the agenda. HB 66 is Ohio's budget bill that became effective July 1, 2005. Highlights of this bill include: elimination of general revenue funding for Ohio EPA; increased MSW disposal fees; increased C&DD disposal fees; C&DD facility licensing moratorium; required inquiry to change residual solid waste rules. Mr. Harris shared a few details for each of these highlights.

Mr. Kolbash also provided details for HB 66 that directly relate to funding ODNR's Division of Recycling and Litter Prevention. The passage of HB 66 results in a significant decrease in the amount of funding that will be directed to DRLP. Based on these funding changes, Mr. Kolbash shared some expected programmatic changes that DRLP is anticipating. First, the traditional community recycling and litter prevention grants will no longer be funded as simple allocation grants. Recycling grants awarded in the future will be based upon a competitive grant process. The scrap tire grant program is expected to remain unchanged. DRLP is in the process of formulating a grant application designed under the new competitive grant structure. It is anticipated that a draft of this grant application will be available in the next couple of weeks. In addition to the changes for grant allocations by

DRLP, the Division's loss of funding also means that several staff positions must be eliminated.

Other changes for DRLP, related to HB 66, results in funding now being directed to the Division from fees collected on C&DD wastes sent for disposal. Based on this, Mr. Kolbash indicated that the Division may develop an additional focus for C&DD recycling into the competitive recycling grant process.

Mr. Wasserman asked what plans are in place by DRLP for payout of the remaining 20 percent of the monies awarded to last year's grant recipients. Mr. Kolbash replied that this decision will be made by ODNR's Director. However, DRLP is suggesting that grant recipients adjust budgets so as not to depend on the remaining grant money.

Ms. Trent asked how smooth of a process DRLP expects in working with local boards of health to remit the C&DD fee revenues to the Division. Mr. Harris explained that Ohio EPA has agreed to provide assistance to ODNR by collecting the fees and remitting them to DRLP. It is hoped that this arrangement may speed up the process.

Mr. Kolbash also mentioned that several folks have inquired about the phasing out of the corporate franchise tax relative to DRLP funding. Although the corporate franchise tax is being phased out, the money coming in is now being routed to Ohio's general revenue fund and no money is being received by ODNR.

Andrew Booker, Supervisor of DSIWM's Planning Unit, mentioned that Ohio EPA is trying to work closely with solid waste management districts to understand what is being experienced from the DRLP grant funding changes. The impact for solid waste management districts is variable. While some solid waste management districts are being greatly affected, others are experiencing no changes. Multi-county solid waste management districts that have relied heavily upon county recycling and litter prevention offices for implementation of programs and strategies are having to evaluate how things will operate in the future. Mr. Booker shared how Ohio EPA is being required to consider two totally different approaches for two single county solid waste management district plans currently being written by DSIWM's Planning Unit. One of these solid waste management districts had already made adjustments so as not to depend on future funding from DRLP grants. In this situation, Ohio EPA is not being pressed to identify other revenue sources for implementation of the plan's programs and strategies. In the second example, the solid waste management district has always relied heavily upon DRLP grant funding and had anticipated such funding in the future. In this situation, Ohio EPA may direct the District to consider fee increases. Overall, Mr. Booker indicated that it is encouraging to observe less than one half of the total number of solid waste management districts in Ohio appear to be significantly impacted by the ODNR grant funding changes. However, Ohio EPA recognizes the great challenges presented for those being impacted.

Mr. Wasserman supported Mr. Booker's assessment regarding the multi-county solid waste management districts by stating that the Ottawa, Sandusky, and Seneca Joint Solid Waste

Management District (OSS District) is now trying to develop more continuity with the individual county recycling offices represented in this three-county solid waste management district. Considerations are also being given for the possibility that these offices may fall under the operation of the OSS District. Mr. Wasserman also responded to the comments from Mr. Kolbash regarding a new focus for C&DD recycling. Mr. Wasserman supports the idea of a focus for C&DD recycling, however, in light of the financial cuts associated with the traditional DRLP recycling grants, he hopes that support for the recycling of traditional materials will continue. Mr. Kolbash replied by indicating that the statute has not changed their scope of work for recycling. DRLP is viewing C&DD recycling as an additional component that may be included.

### **Jim Walters, Lucas County Solid Waste Management District, Overview of the Lucas County Solid Waste Management District**

Jim Walters, Coordinator, Lucas County Solid Waste Management District, provided an overview of the Lucas County Solid Waste Management District (Lucas SWMD) that included information about Lucas SWMD recycling programs, promotion of commercial/industrial recycling, yard waste composting, a HHW collection program, community grant awards, and education and awareness programs.

The Lucas SWMD offers 25 public recycling drop-off opportunities in combination with 23 privately operated drop-off recycling opportunities. The District also offers 6 multi-family drop-off opportunities. The curbside opportunities available in Lucas county consists of 9 non-subscription curbside recycling programs, 12 subscription curbside recycling programs, and 7 pay-as-you-throw programs.

The District provides direct service for three recycling waste streams through a seven day per week operation. This is accomplished by the District's ownership of recycling trucks with District drivers working 4 to 10 hour days each week.

Lucas County businesses and industry are offered free waste assessments through the University of Toledo. Interested businesses are also offered District recycling services.

The Lucas SWMD offers free yard waste composting access to all residents at two locations. In addition, 8 municipalities offer yard waste collection.

The Lucas SWMD provides free HHW collection to all county residents on an appointment basis. In 2004, 99.6 tons of HHW was collected through this program. The District also provides opportunities for collection of scrap tires and electronics.

The Lucas SWMD provides community grants for municipalities to expand recycling efforts. In 2004, \$37,050 was awarded to three individual communities.

The Lucas SWMD works with Keep Toledo/Lucas County Beautiful (KT/LCB) for recycling education and awareness. KT/LCB provides publications, education, presentations, and

other community outreaches to help achieve the District's education and awareness goals.

The Lucas SWMD is funded through generation fees and contract fees. The generation fee is set at \$2.00 per ton and contract fees are collected at the rate of \$1.00 per every ton of waste generated by the District.

**Andrew Booker, Environmental Supervisor, 2004 Disposal Totals and Import/Export Disposal Information**

Mr. Booker prefaced the information presented by indicating that the data shared for this agenda item is still considered draft data at this point in time.

In 2004, Ohio landfill facilities received 3,157,422 tons of out-of-state waste for disposal. In contrast, Ohio sent 1,200,345 tons of waste to out-of-state disposal facilities in this same year.

Mr. Booker displayed a bar graph that indicates the continual growth of solid waste imports to Ohio for disposal since 1996. This is the eighth consecutive year where the tonnage of imported waste disposed at Ohio landfills has increased. The expectation is that this trend will continue in future years.

Waste received from New York in 2004 accounts for 35 percent of the total out-of-state amount disposed in Ohio. New Jersey and Pennsylvania account for 27 and 13 percent, respectively, of the total 2004 out-of-state amount disposed in Ohio. Almost 60 percent of all the out-of-state waste accepted by Ohio in 2004 was received at two northeast Ohio facilities.

While Ohio EPA is concerned by the trend of increasing out-of-state waste being disposed in Ohio, it is important to note that out-of-state waste received by Ohio landfills represents only 14 percent of the total amount of waste landfilled in Ohio. More than 85 percent of the waste disposed at Ohio landfills is generated by Ohioans.

The overall disposal totals for waste accepted at Ohio landfills in 2004 was 21,500,227 tons. This total is mostly comprised of general solid waste (11,735,270 tons) and industrial waste (8,048,862 tons). Exempt waste disposal for 2004 was 1,628,224 tons.

This is the first year that Ohio EPA received data reported by MSW facilities identifying the amount of C&DD waste that was accepted at these facilities. These facilities reported receiving 1,141,328 tons of C&DD in 2004. From the total reported, it was noted that 724,191 tons of C&DD was generated out-of-state.

With all of the preliminary disposal data recorded, Ohio EPA has also calculated a rough estimate for the years of remaining capacity available for waste disposal in Ohio. This most recent estimate is calculated to be 28 years of remaining capacity.

## **Ed Gortner, Ohio EPA Enforcement Report Presentation**

In May, 2005, Ohio EPA published the fifth annual enforcement report. As in years past, Ohio EPA highlighted the achievements of its enforcement program both in terms of performance and environmental benefits. The report stresses that “While we are very proud of these achievements, defining future success or failure relative to these results would be inappropriate. The more appropriate factor to consider is the process improvements that have been institutionalized over the past five years that positioned Ohio EPA to achieve these results.” In the spirit of the above mentioned report, DSIWM also reviewed the compliance and enforcement activities that took place in 2004. Mr. Gortner’s presentation summarized this review.

As a result of the Agency wide effort for improving processes relative to enforcement activities, DSIWM’s Enforcement Unit set specific enforcement related goals for 2004. These goals included: increase measurements of environmental improvement through enforcement; resolve all cases older than 21 months by December 31, 2004; resolve all Verified Complaints within 2 years of receipt; resolve 20 administrative cases by December 31, 2004; and complete enforcement program review. Mr. Gortner identified specific achievements for each of these goal categories.

With the ongoing success noted toward meeting DSIWM’s goals, eight additional enforcement related goals have been identified and targeted for 2005. Mr. Gortner explained that substantial progress is already being made in meeting the goals set for 2005.

Ms. Trent asked if there are any specific ways SWAC can contribute toward assisting in the area of enforcement. Mr. Booker suggested that SWAC’s most beneficial role probably falls under the realm of compliance assistance. SWAC represents a good cross section of entities, public and private. This broad spectrum representation is a valuable resource for lending help in the area of compliance assistance. Mr. Booker also explained that in certain situations involving DSIWM related enforcement activities, SWAC may contribute to the Agency’s enforcement efforts by merely showing support for the actions being taken. Often, the Agency finds itself in the position where stories being circulated to the general public, such as news stories contained in newspapers, portray the Agency in a negative context because of certain enforcement actions being undertaken. We encourage folks hearing these type of stories to contact us directly in order to learn the rational behind the Agency’s enforcement actions. In most cases, once the complete picture is understood, this dismisses any suspicion that Ohio EPA is being unreasonable.

### **Potential Future Agenda Topics**

- Discuss steps to be taken to prepare the next state plan update
- Report for C&DD from the C&DD Study Council

- ODNR-DRLP grant programs update
- Recycling program overview by an individual solid waste management district
- State recycling data update
- Finalization of disposal data reported today
- Update on plan writing activities

The next meeting is scheduled for November 17, 2005 to be held at Highbanks Metro Park from 10:00 a.m. to 1:00 p.m.

**Meeting Adjournment**

Meeting informally adjourned due to the lack of a quorum for today's meeting.

Respectfully submitted: \_\_\_\_\_  
Erv Ball, Vice Chair

Minutes approved on: \_\_\_\_\_

Certified by: \_\_\_\_\_  
Kathy Trent, Secretary