

John R. Kasich, Governor
Mary Taylor, Lt. Governor
Craig W. Butler, Director

CERTIFIED MAIL

May 29, 2014

Mr. Russell M. Pry
Chairperson, Board of Trustees
Summit-Akron Regional Solid
Waste Management Authority
175 S. Main St
Akron, Ohio 44308

Re: Summit Authority
Long Term Planning for Reg Entity
Solid Waste Management Planning
Summit
177

**Subject: Ohio Revised Code Section 3734.55(C)(1) Summit-Akron Regional
Solid Waste Management Authority Solid Waste Management Plan
Approval**

Dear Mr. Pry:

The Director of the Ohio Environmental Protection Agency (Director) has reviewed and approved the ratified draft solid waste management plan update (Plan) for the Summit-Akron Regional Solid Waste Management Authority (Authority). 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 Authority's Plan.

The Authority 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 board of trustees to "...annually review implementation of the approved plan..."

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 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 "Treasurer, State of Ohio." The Commission, in its discretion, may reduce the fee if by affidavit it is demonstrated 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:

Environmental Review Appeals Commission
77 South High Street
17th Floor
Columbus, Ohio 43215

If you have any questions regarding implementation of the approved Plan, please contact me at (614) 728-5317.

Sincerely,



Christopher Germain
Environmental Specialist
Division of Materials and Waste Management

CG/jb

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

cc (with enclosures): Yolanda Walker, Coordinator, Summit-Akron Regional Solid
Waste Management Authority
Lynn Sowers, Environmental Supervisor, DMWM-NEDO

OHIO E.P.A.

MAY 29 2014

ENTERED DIRECTOR'S JOURNAL

BEFORE THE

OHIO ENVIRONMENTAL PROTECTION AGENCY

In the matter of:

Summit-Akron	:	Director's Final
Solid Waste Management Authority	:	Findings and Orders
12 E. Exchange Street, 3 rd Floor	:	
Akron, Ohio 44308	:	

I. JURISDICTION

These Director's Final Findings and Orders (Orders) are issued to the Summit-Akron Solid Waste Management Authority (Authority) 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 Authority.

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 343.011(B), all duties and responsibilities imposed on or granted to a board of county commissioners or a board of directors shall be vested in and exercised by the board of trustees of regional solid waste management authority (regional SWMA). Pursuant to ORC Sections 343.011(F), and 3734.55(G), any reference to a board of county commissioners of a county or a board of directors of a joint solid waste management district is deemed to include the board of trustees of a regional SWMA. Pursuant to 3734.54(H), all duties and responsibilities imposed on or granted to a solid waste management policy committee shall be vested in and exercised by the board of trustees of a regional SWMA.

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: *Jonny Cassler* Date: 5-29-14

V. ORDERS

1. The Authority's ratified, draft, amended plan that was received by Ohio EPA on March 20, 2014 is hereby approved.
2. The Authority 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

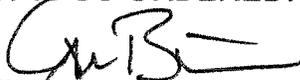
Nothing contained herein shall be construed to prevent Ohio EPA from seeking legal or equitable relief to enforce the terms of these Orders or from taking other administrative, legal, or equitable action as deemed appropriate and necessary, including seeking penalties against the Authority for noncompliance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

Nothing contained herein shall be construed to prevent Ohio EPA from exercising its lawful authority to require the Authority 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 Authority 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 Authority. 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:



Craig W. Butler, Director
Ohio Environmental Protection Agency

ATTACHMENT 1 TO THE FINDINGS AND ORDERS
Summary of the Implementation Schedule for the
Summit-Akron Solid Waste Management Authority

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

6838 Waste Assessments	Ongoing	Goal 3, 4
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Curbside Recycling, Non-subscription

6766 Boston Heights Village	Ongoing	Goal 1
6769 Boston Township	Ongoing	Goal 1
6767 Clinton Village	Ongoing	Goal 1
6770 Cuyahoga Falls	Ongoing	Goal 1
6771 Green	Ongoing	Goal 1
6772 Lakemore Village	Ongoing	Goal 1
6773 Northfield Center Township	Ongoing	Goal 1
6774 Peninsula Village	Ongoing	Goal 1
6775 Reminderville Village	Ongoing	Goal 1
6777 Richfield Township	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?
6776 Richfield Village	Ongoing	Goal 1
6778 Stow	Ongoing	Goal 1
6779 Twinsburg	Ongoing	Goal 1
6780 Twinsburg Township	Ongoing	Goal 1
6762 Akron	Ongoing	Goal 1
6765 Barberton	Ongoing	Goal 1
8890 Coventry Township	Ongoing	Goal 1
8604 Hudson	Ongoing	Goal 1
8605 Macedonia	Ongoing	Goal 1
8606 Munroe Falls	Ongoing	Goal 1
8891 New Franklin	Ongoing	Goal 1
8603 Norton	Ongoing	Goal 1
6849 Silver Lake Village	Ongoing	Goal 1
<i>Curbside Recycling, Subscription</i>		
6785 Springfield Township	Ongoing	Goal 1
6781 Bath Township	Ongoing	Goal 1
7648 Copley Township	Ongoing	Goal 1
9076 Mogadore	Ongoing	Goal 1
6786 Tallmadge	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?
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Drop-off Recycling, FS, Rural

9088 Lakemore	Ongoing	Goal 1
6800 Northfield Village	Ongoing	Goal 1

Drop-off Recycling, FS, Urban

6808 Akron - Republic Waste Services	Ongoing	Goal 1
8611 Bath Township	Ongoing	Goal 1
8892 Copley	Ongoing	Goal 1
6797 Cuyahoga Falls	Ongoing	Goal 1
6798 Fairlawn	Ongoing	Goal 1
7649 Hudson	Ongoing	Goal 1
6801 Macedonia	Ongoing	Goal 1
9077 Norton	Ongoing	Goal 1
6804 Sagamore Hills Township	Ongoing	Goal 1
6805 Springfield Township	Ongoing	Goal 1
6806 Twinsburg	Ongoing	Goal 1

Drop-off Recycling, PT, Urban

9087 Green	Ongoing	Goal 1
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Electronics Collection

6811 E-Waste Recycling Program	Ongoing	Goal 2
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Financial Incentives/PAYT

6832 Get Caught Green Handed (Recycling Incentive Program)	Ongoing	Goal 1, 3, 4
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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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Grants/Funding

6824 Community Development Grant (Ohio EPA)	Ongoing	None
9078 Community Recycling Access Grant (CRAG)	Ongoing	Goal 1, 2
9080 Recycling Market Development Grants (Ohio EPA)	Ongoing	Goal 7
9081 Scrap Tire Grants (Ohio EPA)	Ongoing	Goal 5
9079 Waste Reduction/Recycling & Education/Awareness Grants	Ongoing	Goal 3, 4

Health Dept. Funding/Open Dumps

6834 Health Department Funding - General Solid Waste Enforcement Activities	Ongoing	None
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Household Hazardous Waste

6790 HHW Recycling Center	Ongoing	Goal 2, 5
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Landfill Post-Closure Activities

6833 Hardy Road Landfill Annual funding by Authority to Akron	2014-2024	None
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Lead-Acid Battery Programs

6842 Lead-acid batteries collected with HHW	Ongoing	Goal 2
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Other Programs

7374 Appliance Recycling Program	Ongoing	Goal 2
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Other Residential/Commercial Recycling

9082 Commercial Recycling Facilities	Ongoing	Goal 2
9083 Commercial Single Stream Recycling Program	Ongoing	Goal 2
9084 Food Scrap Composting Program	Ongoing	Goal 2

Residential Sector Education and Awareness

6827 "Zeroed In" Newsletter	Ongoing	Goal 1, 3, 4
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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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6831 Community Tracking and Recognition Program	Ongoing	Goal 1, 3, 4
6826 General Outreach and Education Efforts (Presentations, Events, etc...)	Ongoing	Goal 3, 4
6828 Local Recycling Solutions Flyer	Ongoing	Goal 3, 4
9086 Municipal Roundtable Meetings	Ongoing	Goal 2, 3, 4
9085 Universal Single Stream Recycling Education Campaign	Ongoing	Goal 2

Scrap Tire Programs

6791 Scrap Tire Collection Program	Ongoing	Goal 2, 5
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Yard Waste Programs

6843 Community & Private Facilities and Collection Programs	Ongoing	Goal 2
6789 The Authority will encourage usage of existing yard waste programs and composting facilities in Summit County.	Ongoing	Goal 2, 4

