



State of Ohio Environmental Protection Agency

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JUN 09 2009

CERTIFIED MAIL

The Honorable Otto Nicely
Chairperson Board of Directors
Defiance-Fulton-Paulding-Williams County Joint Waste Management District
500 Court St., Suite A
Defiance, Ohio 43512

RE: Ohio Revised Code Section 3734.55(C)(1) Defiance-Fulton-Paulding-Williams County Joint Waste Management District Solid Waste Management Plan Approval

Dear Commissioner Nicely:

The Ohio Environmental Protection Agency (Ohio EPA) has reviewed and approved The Ratified Draft Amended Solid Waste Management Plan Update (Plan) for the Defiance-Fulton-Paulding-Williams County Joint 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.

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



The Honorable Otto Nicely
Defiance-Fulton-Paulding-Williams County Joint Waste Management District
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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 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) 728-5358.

Sincerely,



Nicholas D'Amato
Environmental Specialist
Division of Solid and Infectious Waste Management

NED/sw

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

cc (with enclosures): Terrie TerMeer, Deputy Chief, ODNR, DRLP
Tim Houk, Coordinator, Mercer County SWMD
Mike Reiser, Environmental Supervisor, DSIWM-NWDO

BEFORE THE
OHIO ENVIRONMENTAL PROTECTION AGENCY

OHIO E.P.A.

JUL 9 2009

ENTERED DIRECTOR'S JOURNAL

In the matter of:

Defiance-Fulton-Paulding-Williams	:	
County Joint Solid Waste Management District	:	Director's Final
500 Court St., Suite E	:	Findings and Orders
Defiance, Ohio 43512	:	

I. JURISDICTION

These Director's Final Findings and Orders (Orders) are issued to the Defiance-Fulton-Paulding-Williams County 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

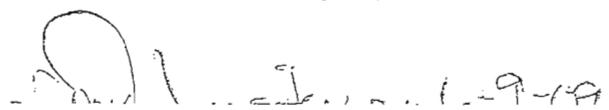
Unless otherwise stated, all terms used in these Orders shall have the same meanings as defined in ORC Chapter 3734 and the rules promulgated thereunder.

IV. FINDINGS

The Director of Ohio EPA has determined the following findings:

1. Pursuant to ORC Section 3734.56, 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 January 23, 2003 and covers a planning period of fifteen or more years. The date the District's draft amended solid waste management plan was due to Ohio EPA was January 23, 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.



3. Ohio EPA received a draft amended solid waste management plan from the policy committee for the District on December 12, 2007.
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 January 28, 2008, Ohio EPA mailed a written, nonbinding advisory opinion concerning the draft amended solid waste management plan received on December 12, 2007 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 April 16, 2009, 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 solid waste plan of the District's that was received by Ohio EPA on April 16, 2009 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 District's 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

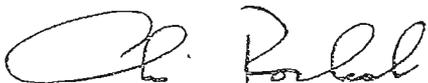
Nothing contained herein shall be construed to prevent Ohio EPA from seeking legal or equitable relief to enforce the terms of these Orders or from taking other administrative, legal, or equitable action as deemed appropriate and necessary, including seeking penalties against the District for noncompliance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

Several sections of the ratified, draft, amended solid waste management plan update (Plan) submitted by the Solid Waste Management District or Authority 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 1995 Goal will this strategy be used to demonstrate compliance with?
Commercial/Industrial Sector TA and Education		
1199 Annual Industrial survey pp IV-13	1993 - 2023	Goal 2, Goal 3, Goal 4
3890 District Industrial Waste & Recycling Subcommittees periodic findings and strategy updates (Plan ID# DIRP-1, p. IV-27)	Existing - 2023	Goal 3, Goal 4
7378 Education / Awareness Presentations (Plan ID# DIRP-1 & p IV-26)	ongoing - 2023	Goal 3, Goal 4
1200 Industrial Technical assistance and Education and Awareness Presentations to businesses (Plan ID# DIRP-1 & p IV-25).	1994, ongoing	Goal 3, Goal 4
7391 K-12 Teacher Training programs (Plan ID# DEP-1, p. V-11, IV-15. Program will Continue)	2009-2023	Goal 3, Goal 4
7379 Recycling Drives (Plan ID# DIRP-1 & p IV-26)	ongoing - 2023	Goal 3, Goal 4
7376 Telephone Assistance (Plan ID# DIRP-1 & p IV-25)	ongoing - 2023	Goal 3, Goal 4
7380 Waste Audits (Plan ID# DIRP-1 & p IV-26)	ongoing - 2023	Goal 3, Goal 4
7377 Web Page (Plan ID# DIRP-1 & p IV-25)	ongoing - 2023	Goal 3, Goal 4
Curbside Recycling, Non-Subscription		
1113 Defiance County, City of Defiance (Plan ID# DRP-1)	1993 - 2023	Goal 1

1. Elements of the Plan	2. According to the Plan, when will implementation of this strategy begin and end?	3. Which 1995 Goal will this strategy be used to demonstrate compliance with?
1114 Defiance County, Sherwood (Plan ID# DRP-1)	1996 - 2023	Goal 1
4263 Defiance County, Lake Christy Meadows (Plan ID# DRP-1)	2002 - 2023	Goal 1
1116 Fulton County, Archbold (Plan ID# DRP-1 & p. VII-12)	1995 - 2023	Goal 1
1115 Fulton County, Delta (Plan ID# DRP-1)	1994 - 2023	Goal 1
1117 Fulton County, Swanton (Plan ID# DRP-1 & p. VII-12)	1995 - 2023	Goal 1
1118 Williams County, Bryan (Plan ID# DRP-1)	1993 - 2023	Goal 1
1119 Williams County, Edgerton (Plan ID# DRP-1)	1993 - 2023	Goal 1
1120 Williams County, Montpelier (Plan ID# DRP-1)	1993 - 2023	Goal 1
1121 Williams County, Stryker (Plan ID# DRP-1)	1993 - 2023	Goal 1
Drop-off Recycling, FS, Rural		
1137 Fulton County, Archbold (Plan ID# DRP-2 & p. VII-12)	existing, ongoing	Goal 1
1129 Fulton County, Clinton Twp and Pettisville (Plan ID# DRP-2 & p. VII-12)	1993 - 2023	Goal 1
1128 Fulton County, Fayette (Plan ID# DRP-2 & pp. VII-12)	1993, ongoing	Goal 1
1156 Fulton County, Swan Creek Township (Plan ID# DRP-2 & p. VII-12)	1993- 2023	Goal 1
1136 Fulton County, Wauson, MRDD (Plan ID# DRP-2 & pp. VII-11)	existing, ongoing	Goal 1
1130 Paulding County, Antwerp pp IV-6, VI-14, and VII-6	1995, ongoing	Goal 1
1131 Paulding County, Broughton/Kohart's pp IV-6, VI-14, and VII-6	1993, ongoing	Goal 1
1174 Williams County, Edon pp IV-6, VI-14, VII-7	1993, ongoing	Goal 1
Drop-off Recycling, FS, Urban		
1125 Fulton County, Wauseon pp IV-6, VI-14, and VII-5	1993 - 2023	Goal 1

1. Elements of the Plan	2. According to the Plan, when will implementation of this strategy begin and end?	3. Which 1995 Goal will this strategy be used to demonstrate compliance with?
1132 Williams County, Bryan pp IV-6, VI-14, and VII-7	1993- 2023	Goal 1

Drop-off Recycling, PT, Rural

7381 Defiance County, Ayersville (Identified via District contact, April, 2009)	2009-2023	Goal 1
1142 Defiance County, Evansport (Identified as Tiffin Twp. In some parts of 2009 Plan)	1994, ongoing	Goal 1
1148 Defiance County, Farmer (Plan ID# DRP-3 & pp VII-11)	1994, ongoing	Goal 1
1122 Defiance County, Hicksville Village (Elm & Meuse), (Plan ID# DRP-3 & pp VII-11)	1995, ongoing	Goal 1
4852 Defiance County, Hicksville Village (Grace Methodist Church), (Plan ID# DRP-3 & pp VII-11)	2003, Ongoing	Goal 1
1145 Defiance County, Hicksville Village Transfer Station (Plan ID# DRP-3 & pp VII-11)	1994, ongoing	Goal 1
1144 Defiance County, Mark Center, Mark Twp. (Plan ID# DRP-3 & pp VII-11)	1994, ongoing	Goal 1
3876 Defiance County, Milford Township (Plan ID# DRP-3 & pp VII-11)	existing, ongoing	Goal 1
1147 Defiance County, Ney Village (Plan ID# DRP-3 & pp VII-11)	1994, ongoing	Goal 1
3877 Defiance County, Noble Township (Plan ID# DRP-3 & pp VII-11)	existing, ongoing	Goal 1
4853 Defiance County, Power Dam - (Plan ID# DRP-3 & pp VII-11)	2003, Ongoing	Goal 1
1123 Defiance County, Richland Township (Plan ID# DRP-3 & pp VII-11)	existing, ongoing	Goal 1
1143 Defiance County, Sherwood (Plan ID# DRP-3 & pp VII-11)	1994, ongoing	Goal 1
1187 Fulton County, Delta (Plan ID# DRP-2 & p. VII-12)	existing - 2023	Goal 1
1127 Fulton County, Lyons (Plan ID# DRP-2 & p. VII-12)	1993 - 2023	Goal 1
1126 Fulton County, Metamora (Plan ID# DRP-2 & p. VII-12)	1993 - 2023	Goal 1
1186 Fulton County, Pike Township (Plan ID# DRP-2 & p. VII-12)	existing- 2023	Goal 1

1. Elements of the Plan	2. According to the Plan, when will implementation of this strategy begin and end?	3. Which 1995 Goal will this strategy be used to demonstrate compliance with?
7396 Paulding Co., Paulding, - Paulding Co. Fair Grounds. Pp. IV-6, VII-14 (District Corresp. 2009).	ongoing-2023	Goal 1
1168 Paulding County, Antwerp (Plan ID# DRP-2 & p. VII-13)	1993- 2023	Goal 1
1166 Paulding County, Briceton (Plan ID# DRP-2 & p. VII-13)	1993- 2023	Goal 1
1169 Paulding County, Cecil (Plan ID# DRP-2 & p. VII-13)	1993- 2023	Goal 1
1159 Paulding County, Grover Hill (Plan ID# DRP-2 & p. VII-13)	1993, ongoing	Goal 1
1160 Paulding County, Haviland pp IV-6, VI-14, and VII-6	1993- 2023	Goal 1
1164 Paulding County, Junction (Auglaize Township) (Plan ID# DRP-2 & p. VII-13)	1993- 2023	Goal 1
1167 Paulding County, Latty (Plan ID# DRP-2 & p. VII-13)	1993- 2023	Goal 1
1162 Paulding County, Melrose (Plan ID# DRP-2 & p. VII-13)	1993, ongoing	Goal 1
1163 Paulding County, Oakwood (Plan ID# DRP-2 & p. VII-13)	1993- 2023	Goal 1
1165 Paulding County, Payne (Plan ID# DRP-2 & p. VII-13)	1993- 2023	Goal 1
1161 Paulding County, Scott (Plan ID# DRP-2 & p. VII-13)	1993- 2023	Goal 1
1172 Williams County, Alvordton (Plan ID# DRP-2 & p. VII-14)	1993- 2023	Goal 1.
1173 Williams County, Blakeslee (Plan ID# DRP-2 & p. VII-14)	1993- 2023	Goal 1
1179 Williams County, Bridgewater Township (Plan ID# DRP-2 & p. VII-14)	1993- 2023	Goal 1
1180 Williams County, Center Township (Plan ID# DRP-2 & p. VII-14)	1993- 2023	Goal 1
1175 Williams County, Jefferson Twp. (Plan ID# DRP-2 & p. VII-14)	1993- 2023	Goal 1
1176 Williams County, Kunkle (Plan ID# DRP-2 & p. VII-14)	1993- 2023	Goal 1
1181 Williams County, Northwest Township (Plan ID# DRP-2 & p. VII-14)	1993- 2023	Goal 1

1. Elements of the Plan	2. According to the Plan, when will implementation of this strategy begin and end?	3. Which 1995 Goal will this strategy be used to demonstrate compliance with?
1177 Williams County, Pioneer (Plan ID# DRP-2 & p. VII-14)	1993- 2023	Goal 1
1185 Williams County, Pulaski Township (Plan ID# DRP-2 & p. VII-14)	existing- 2023	Goal 1
1182 Williams County, Springfield Township (Plan ID# DRP-2 & p. VII-14)	1993- 2023	Goal 1
1183 Williams County, Superior Township (Plan ID# DRP-2 & p. VII-14)	1993, ongoing	Goal 1
1178 Williams County, West Unity pp IV-6, VI-14, VII-7	1993- 2023	Goal 1
Grants/Funding		
7384 District will continue to pursue available grant funding for relevant programs (e.g. ODNR, USDA, etc.) (DMDP-1, p. IV-23. Program will continue)	Existing - 2023	Goal 1
Household Hazardous Waste		
6606 Computer and Electronics Collections, annually (Plan ID#DRP-5 & pp. V-10; IV-16-to IV-17, HHW Programs Will Continue)	2006- 2023	Goal 5
3879 Elemental Mercury Collection (drop-off) (Plan ID#DRP-5 & pp. V-10; IV-16-to IV-17, HHW Programs Will Continue)	existing - 2023	Goal 5
6607 HHW Collections (periodic) and Joint Effort of Johns-Manville and LaFarge (Plan ID#DRP-5 & p. V-10. HHW Programs Will Continue)	2006- 2023	Goal 5
3885 HHW Press Releases (Plan ID#DRP-5 & pp. V-10; IV-14, HHW Programs Will Continue)	existing - 2023	Goal 5
3884 Household Hazardous Waste Brochure and Poster distributed annually (Plan ID#DRP-5 & p. V-10. HHW Programs Will Continue)	existing - 2023	Goal 5
3897 Household Hazardous Waste Community Awards, annually (Plan ID#DRP-5 & p. V-10. HHW Programs Will Continue)	existing - 2023	Goal 5
1204 Household Hazardous Waste Education Program K-12 Classroom Presentations, annually (Plan ID#DRP-5 & pp. V-10; IV-14-to IV-17, HHW Programs Will Continue)	1993 - 2023	Goal 5
3882 Household Hazardous Waste Reference & Media Resources, Brochure (Plan ID#DRP-5 & pp. V-10. IV-16, HHW Programs Will Continue)	existing - 2023	Goal 5
1205 Household Hazardous Waste Hotlines at ORLPs (Plan ID#DRP-5 & pp. V-10; IV-14-to IV-17, HHW Programs Will Continue)	1993 - 2023	Goal 5

1. Elements of the Plan	2. According to the Plan, when will implementation of this strategy begin and end?	3. Which 1995 Goal will this strategy be used to demonstrate compliance with?
3883 Household Hazardous Waste Press Releases (Plan ID#DRP-5 & pp. V-10; IV-16-to IV-17, HHW Programs Will Continue)	existing - 2023	Goal 5
1212 Paint collection program, annually (Plan ID#DRP-5 & pp. V-10; IV-16-to IV-17, HHW Programs will continue)	2005-2023	Goal 5
3878 Pesticide Container Recycling Program (Plan ID#DRP-5 & pp. V-10; IV-16-to IV-17, HHW Programs Will Continue)	existing - 2023	Goal 5
3880 Rechargeable Household Battery Collections (Defiance County) (Plan ID#DRP-5 & pp. V-10; IV-16-to IV-17, HHW Programs Will Continue)	existing, ongoing	Goal 5
Industrial Recycling and Reduction		
7375 Local Program Director Industrial Subcommittee (Plan ID# DIRP-1 & p IV-11). Meet on a regular basis to analyze methods for targeting specific waste streams.	ongoing - 2023	Goal2, Goal3, Goal4
Lead-Acid Battery Programs		
7382 Promote private industry recycling options for car batteries (Plan ID# DRP5, p. IV-16, p. V-10: Program will continue)	Existing - 2023	Goal 2, Goal 5
Litter Prevention/Clean Up		
7386 District provides funding annually for litter clean-up. (Plan ID# DOP-1, p. IV-24)	Existing - 2023	n/a
Market Development Programs		
7385 District will continue to pursue available grant funding for market development programs (e.g. ODNR, etc.) (DMDP-1, p. IV-23. Program will continue)	Existing - 2023	Goal 7
Other Residential/Commercial Recycling		
7388 Curbside Recycling Program Q/A: District will monitor and evaluate programs periodically and make recommended changes, as needed (Plan ID# DRP-2, p.V-7)	2009-2024	Goal 1, Goal 2
7387 Drop-off Recycling Program Q/A: District will monitor and evaluate programs periodically and make recommended changes as needed (Plan ID# DRP-2, p.V-8, V-9)	2009-2024	Goal 1, Goal 2
Residential Sector Education and Awareness		
1194 Adult education programs pp IV-7	1993, ongoing	Goal 3, Goal 4
7392 District will continue to pursue available grant funding for relevant programs from ODNR and/or other sources (Plan ID# DEP-1, p. V-11, IV-15. Program will Continue)	2009-2023	Goal 3
1192 K-12 programs (essay contests, poster contests, class presentations, outdoor classrooms, etc.) Grades K-12 Annually. (Plan ID# DEP1, p. V-11. Program will Continue)	1993, ongoing	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 1995 Goal will this strategy be used to demonstrate compliance with?
7390 Measure Effectiveness of R/C Education and Awareness Programs by collecting data on programs (Plan ID# DEP-1, p. V-11)	2009-2023	Goal 3
3896 Monthly commercials on radio and newspapers for upcoming special collection events	existing, ongoing	Goal 3, Goal 4
1195 ORLP source reduction and recycling awareness campaigns (freestanding portable displays, public awareness campaign, and comprehensive media strategy) pp IV-7	1993, ongoing	Goal 3, Goal 4
1196 Source reduction and recycling brochures pp IV-8	1993, ongoing	Goal 3, Goal 4
Scrap Tire Programs		
1202 Scrap tires recycling drives (Plan ID#DRP-6, p. IV-17; IV-18)	1994 - 2023	Goal 5
7383 Tires recycled through programs other than public collections such as landfills, commercial recyclers, clean-ups, etc.) (Plan ID# DRP5, p. IV-16, p. V-10: Program will continue)	Existing - 2023	Goal 2, 5
Yard Waste Programs		
1213 Backyard composting and Don't Bag It education programs, brochures and awareness materials, to be promoted and distributed periodically. Pp IV-8	1993, ongoing	Goal 3, Goal 4, Goal 5
7394 District-wide Yard Waste Facility Strategy: District will continue to work with political subdivisions to encourage the creation of new Compost Facilities (DRP-4, p. V-10)	2009-2023	Goal 2, Goal 5
7393 District-wide Yard Waste Program Mgt Strategy: District will continue to work with political subdivisions to implement, improve or maintain YW mgt. programs and to create new programs. (DRP-4, p. V-10)	2009-2023	Goal 2, Goal 5
7395 Yard Waste Performance Monitoring, Evaluation & Q/A: Periodic data collection, monitoring and recommended changes to YW programs, as needed (DRP-4, p. V-9)	2009-2023	Goal 2, Goal 5
7389 Yard Waste Recycling Performance Evaluation & Q/A: District will monitor and evaluate programs periodically and make recommended changes as needed (p.V-9)	2009 - 2023	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 1995 Goal will this strategy be used to demonstrate compliance with?
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(1) Other facilities include those landfills, incinerators, 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.