



State of Ohio Environmental Protection Agency

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AUG 23 2010

CERTIFIED MAIL

The Honorable Tom Reiser
Chairperson, Board of Directors and Policy Committee
Lawrence/Scioto Joint Solid Waste Management District
602 Seventh St., Room 1
Portsmouth, Ohio 45662

RE: Ohio Revised Code Section 3734.55(C)(1) Lawrence/Scioto Joint Solid Waste Management District Solid Waste Management Plan Approval

Dear Commissioner Reiser:

The Ohio Environmental Protection Agency (Ohio EPA) has reviewed and approved the ratified draft solid waste management plan update (Plan) for the Lawrence/Scioto 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 Section 3745.04 of the Ohio Revised Code. 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 "Ohio Treasurer Kevin Boyce," 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 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:

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

Environmental Review Appeals Commission
309 South Fourth Street, Room 222
Columbus, OH 43215

If you have any questions regarding implementation of the approved Plan, please contact me at (614) 728-[Planner's extension].

Sincerely,



Kevin Shoemaker
Environmental Specialist II
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 Chief, ODNR, DRLP
 Dan Palmer, Coordinator, Lawrence/Scioto Joint SWMD
 Steve Rine, Environmental Supervisor, DSIWM-SEDO

BEFORE THE
OHIO ENVIRONMENTAL PROTECTION AGENCY

OHIO E.P.A.

AUG 23 2010

ENTERED DIRECTOR'S JOURNAL

In the matter of:
Lawrence/Scioto
Joint Solid Waste Management District
305 N. 5th Street
Ironton, Ohio 45638

: Director's Final
: Findings and Orders
:

I. JURISDICTION

These Director's Final Findings and Orders (Orders) are issued to the Lawrence/Scioto 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 less than fifteen 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 third 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 2, 2006 and covers a planning period of at least 10 years. The date the District's draft amended solid waste management plan was due to Ohio EPA was March 2, 2009.

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: Jared Lasser Date: 8-23-10

3. On February 5, 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 March 23, 2009, Ohio EPA mailed a written, nonbinding advisory opinion concerning the draft amended solid waste management plan received on February 5, 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 June 1, 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 Solid Waste Plan of the District's that was received by Ohio EPA on June 1, 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 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

Lawrence/Scioto 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?
Buy-Backs, Haulers, and Scrap Yards		
7762 Scioto County, Livingston Scrap Metals (Pages V-9 and V-10)	2010, Ongoing	Goal 2
7790 The District will maintain and make available a list of facilities (Table VI-5)	2010, Ongoing	Goal 2
Commercial/Industrial Sector TA and Education		
7794 Develop education and technical assistance programs to provide information, promote OMEEx, and to assist with information on grants and loans along with a recycling services list (Table VI-5)	2010, Ongoing	Goal 3, Goal 4
7763 Educational outreach for commercial and industrial sectors (Pages V-10 and V-11, Table VI-5)	2010, Ongoing	Goal 3, Goal 4
7764 Quarterly newsletter (Pages V-11 and V-12, Table VI-5)	2010, Ongoing	Goal 3, Goal 4
7765 Web site (Page V-11, Table VI-5)	2010, Ongoing	Goal 3, Goal 4
Curbside Recycling, Non-subscription		
7766 Lawrence County, Hanging Rock Village (Pages V-8 and V-9, Table VI-5)	Ends 2010	Goal 1
7767 Scioto County, South Webster Village (Pages V-8 and V-9, Table VI-5)	Ends 2010	Goal 1
Drop-off Recycling, FS, Rural		
7827 Lawrence County, US Forest Service (Elizabeth Township) (Table VII-2)	2010, 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?
7807 Scioto County, Cherokee Bingo Hall (Lucasville/Valley Township) (Table VII-2)	2010, Ongoing	Goal 1
7808 Scioto County, Country Food Store (Bloom Township) (Table VII-2)	2010, Ongoing	Goal 1
7812 Scioto County, Franklin Furnace Senior Center (Green Township) (Table VII-2)	2010, Ongoing	Goal 1
7813 Scioto County, K-Mart (New Boston) (Table VII-2)	2010, Ongoing	Goal 1
7811 Scioto County, New Lucasville (Lucasville/Valley Township) (Table VII-2)	2010, Ongoing	Goal 1
7809 Scioto County, New South Webster (South Webster/Bloom Township) (Table VII-2)	2010, Ongoing	Goal 1
7814 Scioto County, Nile Township Hall (Table VII-2)	2010, Ongoing	Goal 1
7810 Scioto County, Rosemount (Clay Township) (Table VII-2)	2010, Ongoing	Goal 1
7806 Scioto County, Scioto Valley Farm Supply (Madison Township) (Table VII-2)	2010, Ongoing	Goal 1
Drop-off Recycling, FS, Urban		
7816 Lawrence County, Chesapeake Municipal Court (Union Township) (Table VII-2)	2010, Ongoing	Goal 1
7826 Lawrence County, Coal Grove Village Hall (Upper Township) (Table VII-2)	2010, Ongoing	Goal 1
7819 Lawrence County, Eagles Club (Ironton) (Table VII-2)	2010, Ongoing	Goal 1
7823 Lawrence County, Forths Foodfair (Rome Township) (Table VII-2)	2010, Ongoing	Goal 1
7825 Lawrence County, Lowes (Burlington/Fayette Township) (Table VII-2)	2010, Ongoing	Goal 1
7824 Lawrence County, New Athalia (Roam Township) (Table VII-2)	2010, Ongoing	Goal 1
7821 Lawrence County, New Proctorville (Union Township) (Table VII-2)	2010, Ongoing	Goal 1
7822 Lawrence County, New South Point Village (Fayette Township) (Table VII-2)	2010, Ongoing	Goal 1
7818 Lawrence County, OU Campus (Ironton) (Table VII-2)	2010, Ongoing	Goal 1
7817 Lawrence County, Rich Oil Gas Station (Ironton) (Table VII-2)	2010, 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?
7820 Lawrence County, Sheridan (Perry Township) (Table VII-2)	2010, Ongoing	Goal 1
7801 Scioto County, Barbour Auto Parts (Portsmouth) (Table VII-2)	2010, Ongoing	Goal 1
7797 Scioto County, Earl Thomas Conley Park (Washington Township) (Table VII-2)	2010, Ongoing	Goal 1
7804 Scioto County, Lowes (Wheelersburg) (Table VII-2)	2010, Ongoing	Goal 1
7798 Scioto County, National Guard Armory (Portsmouth) (Table VII-2)	2010, Ongoing	Goal 1
7796 Scioto County, Portsmouth Square (Table VII-2)	2010, Ongoing	Goal 1
7802 Scioto County, Public Library (Portsmouth) (Table VII-2)	2010, Ongoing	Goal 1
7803 Scioto County, West Portsmouth IGA (Table VII-2)	2010, Ongoing	Goal 1
7799 Scioto County, West Side IGA (Table VII-2)	2010, Ongoing	Goal 1
7805 Scioto County, Wheelersburg Chevron (Table VII-2)	2010, Ongoing	Goal 1
7800 Scioto County, Wheelersburg Kroger (Table VII-2)	2010, Ongoing	Goal 1
Electronics Collection		
7786 Annual collection event for electronics (Pages V-15 and V-16)	2010, Ongoing	Goal 5
Household Hazardous Waste		
7775 Brochures, flyers and other promotional materials for public distribution (Pages V-12, V-13, and V-14)	2010, Ongoing	Goal 5
7780 The District will compile, maintain, and distribute a list of service stations and automotive stores where used motor oil is accepted. (Pages V-13 and V-14)	2010, Ongoing	Goal 5
7781 The District will conduct at least one HHW collection event annually (Pages V-13 and V-14, Table VI-5)	2010, Ongoing	Goal 5
Industrial Recycling and Reduction		
7792 Develop education and technical assistance programs to provide information, promote OMEEx, and to assist with information on grants and loans along with a recycling services list (Table VI-5)	2010, 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 Goal will this strategy be used to demonstrate compliance with?
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Lead-Acid Battery Programs

7785 Annual collection event for LAB's (Page V-14, Table VI-5)	2010, Ongoing	Goal 5
7782 Educational outreach for proper disposal and recycling of LAB's (Page V-14, Table VI-5)	2010, Ongoing	Goal 5

Market Development Programs

7778 Brochures, flyers and other promotional materials for public distribution (Pages V-12 and V-13)	2010, Ongoing	Goal 7
7768 Educational outreach (Pages V-10 and V-11)	2010, Ongoing	Goal 7

Other Programs

7789 Annual surveys of the residential, commercial, and industrial sectors for information provided on the District's Annual District Reports to Ohio EPA (Page 17, Table VI-5)	2010, Ongoing	Goal 8
7793 District Enforcement Officer to monitor and investigate litter and open dumping (Table VI-5)	2010, Ongoing	none
7791 Full-time District Coordinator for the District (Table VI-5)	2010, Ongoing	All
7788 Funding to cities, villages, and townships for community clean-up events (Pages V-16 and V-17)	2010, Ongoing	none
7787 Open dumping/litter collection and enforcement (Page V-16 and Table VI-5)	2010, Ongoing	none
7769 Sponsor a Site, junk cars and county-wide cleanup programs (Pages V-10 and V-11)	2010, Ongoing	none

Residential Sector Education and Awareness

7777 Brochures, flyers and other promotional materials for public distribution (Pages V-12 and V-13, Table VI-5)	2010, Ongoing	Goal 3, Goal 4
7770 Caught Green Handed (Pages V-10 and V-11, Pages V-16 and V-17)	2010, Ongoing	Goal 1, Goal 3
7771 Contract services through Ironton-Lawrence County Community Action program provides a dedicated Education Specialist/Program Manager (Pages V-10 and V-11, Table VI-5)	2010, Ongoing	Goal 3, Goal 4
7772 Promotion for school recycling (Pages V-10 and V-11)	2010, Ongoing	Goal 3, Goal 4
7773 Web site (Page V-11, Table VI-5)	2010, 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 Goal will this strategy be used to demonstrate compliance with?
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Scrap Tire Programs

7779 Brochure/flier for public distribution (Page V-13)	2010, Ongoing	Goal 5
7774 Tire collection/cleanup (Pages V-10 and V11)	2010, Ongoing	Goal 5

Yard Waste Programs

7784 Annual collection event for yard waste (Pages V-14 and V-15, Table VI-5)	2010, Ongoing	Goal 5, Goal 2
7776 Brochures, flyers and other promotional materials for public distribution. Web page (Pages V-12 and V-13, Table VI-5)	2010, Ongoing	Goal 5
7783 Educational outreach through a brochure/flier (Pages V-14 and V-15, Table VI-5)	2010, Ongoing	Goal 5

(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.

