



State of Ohio Environmental Protection Agency

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July 14, 2010

CERTIFIED MAIL

Ms. Candy Robinson, Interim Policy Committee Chair
2716 Martin Rd
PO Box 446
Zanesville, Ohio 43701

RE: SouthEastern Ohio Joint Solid Waste Management District Extension for Submitting a Revised Ratified Plan

Dear Ms. Robinson,

The Ohio Environmental Protection Agency (Ohio EPA) has approved the SouthEastern Ohio Joint Solid Waste Management District (District) policy committee's request for a 60-day extension to the submittal date of a revised ratified solid waste management plan. On May 26 of this year, the Director issued Director's Final Findings and Orders (DFFOs) that disapproved the District's ratified solid waste management plan (Plan) that was received by Ohio EPA on March 1 of this year. The DFFOs directed the District to submit a revised Plan within 90 days. With a 60-day extension, the revised Plan is now due to Ohio EPA by October 23, 2010. DFFOs granting the extension are attached.

As explained in the letter dated May 26, 2010 that accompanied the DFFOs disapproving the Plan, the District's policy committee must proceed to prepare a draft revised solid waste management plan, adopt the draft plan by a majority vote, and complete the plan ratification process prior to submitting the revised ratified plan to Ohio EPA.

As with initial ratification, the plan for the district is considered ratified when it is approved by:

- a majority of the boards of county commissioners;
- a majority of the legislative authorities representing the municipalities with the largest populations in their respective counties, one from each county within the SWMD; and
- legislative authorities representing a combined population of at least 60 percent of the SWMD's total population (the populations from the municipalities from the previous bullet point can count toward achieving the 60 percent).

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

Upon ratification the policy committee must submit the plan to the Director for approval.

Ohio EPA has discussed the deficiencies in the Plan that was received by Ohio EPA on March 1, 2010 with the District and has offered to provide additional input regarding changes the District must develop to address these deficiencies. Ohio EPA would again like to offer any assistance necessary for the District to accomplish the successful revision of the plan, and will continue to work with the District to resolve any outstanding issues. We would also strongly encourage the District to keep in close communication with Ohio EPA if you experience difficulties or delays in plan revision and ratification. As stated earlier, DFFOs from the Director granting the extension are attached.

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. 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
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) 728-5353.

Sincerely,



Deborah Hoffman
Environmental Specialist
Division of Solid and Infectious Waste Management

Enclosure: Director's Final Findings and Orders

cc (with enclosures): Commissioner Steve Allen, Chairperson, Board of Directors,
SouthEastern Ohio Joint SWMD
Terrie TerMeer, Assistant Chief, ODNR, DRLP
Robert Reiter, Coordinator, SouthEastern Ohio Joint SWMD
Steve Rine, Environmental Supervisor, DSIWM-SEDO

**BEFORE THE
OHIO ENVIRONMENTAL PROTECTION AGENCY**

In the matter of:

SouthEastern Ohio Joint	:	Director's Final
Solid Waste Management District	:	Findings and Orders
515 Main Street		
Caldwell, Ohio 43724		

I. JURISDICTION

These Director's Final Findings and Orders (Orders) are issued to the SouthEastern Ohio 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 3734.55, the policy committee (Committee) of a solid waste management district (SWMD) is required to submit a ratified draft solid waste management plan to the Director for review and approval for compliance with Divisions (A), (B), (D), and (E)(1) of ORC Section 3734.53.
2. Pursuant to ORC Section 3734.55, Division (C), an order by the Director disapproving a solid waste management plan must direct the Committee to submit a revised solid waste management plan that remedies the deficiencies in the disapproved solid waste management plan within ninety days.
3. Pursuant to ORC Section 3734.55, Division (C), if the Committee requests, by resolution, an extension for the submission of a revised solid waste management

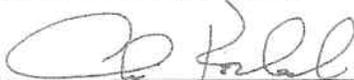
plan, the Director, for good cause shown, may grant one extension period of not more than sixty additional days.

4. On March 1, 2010, Ohio EPA received a draft amended solid waste management plan (Plan) that was ratified according to the criteria established in ORC Section 3734.55(B) from the Committee for the SouthEastern Ohio Joint SWMD.
5. On May 26, 2010, the Director issued Director's Final Findings and Orders disapproving the District's Plan and ordering the Committee to submit a revised ratified Plan within ninety days.
6. On June 18, 2010, Ohio received a request, by resolution, from the District's Committee for a sixty day extension to the required date to submit the revised ratified Plan.

V. ORDERS

1. A sixty day extension to the required date to submit the revised ratified Plan is hereby granted.
2. The revised ratified Plan shall be submitted to Director no later than October 23, 2010, a total of 150 days from the date that the Director's Final Findings and Orders disapproving the Plan were issued.

IT IS SO ORDERED:



Chris Korleski, Director
Ohio Environmental Protection Agency