



State of Ohio Environmental Protection Agency

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OCT 27 2010

## CERTIFIED MAIL

The Honorable Michael Wheeler, Chairman, Board of County Commissioners  
Wyandot County Solid Waste Management District  
109 South Sandusky Avenue  
Upper Sandusky, Ohio 43351-1497

### **RE: Ohio Revised Code Section 3734.55(C)(1) Wyandot County Solid Waste Management District Solid Waste Management Plan Approval**

Dear Commissioner Wheeler:

The Ohio Environmental Protection Agency (Ohio EPA) has reviewed and approved the ratified draft solid waste management plan update (Plan) for the Wyandot County 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 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. 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

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

The Honorable Michael Wheeler  
Wyandot County Solid Waste Management District  
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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) 728-5357.

Sincerely,



Channon Cohen-Denson  
Environmental Specialist 2  
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 Director, ODNR, DRLP  
Sue Bennett, Coordinator, Wyandot County SWMD  
Mike Reiser, Environmental Supervisor, DSIWM-NWDO

BEFORE THE  
**OHIO ENVIRONMENTAL PROTECTION AGENCY** REGISTERED DIRECTOR'S JOURNAL

In the matter of:

Wyandot County Solid Waste Management District	:	Director's Final
11385 CH 4	:	Findings and Orders
Carey, Ohio 43316	:	

**I. JURISDICTION**

These Director's Final Findings and Orders (Orders) are issued to the Wyandot County 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 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.

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: *Dr. Cassler* Date: 10-27-10

2. The existing solid waste management plan for the District was approved on September 11, 2006 and covers a planning period of less than fifteen years. The date the District's draft amended solid waste management plan was due to Ohio EPA was September 11, 2009.
3. On September 14, 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 October 28, 2009, Ohio EPA mailed a written, nonbinding advisory opinion concerning the draft amended solid waste management plan received on September 14, 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 August 12, 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 plan of the District that was received by Ohio EPA on August 12, 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 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:



Christopher Korleski, Director  
Ohio Environmental Protection Agency



**ATTACHMENT 1 TO THE FINDINGS AND ORDERS**  
**Summary of the Implementation Schedule for the**  
**Wyandot County 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?
<b>Commercial/Industrial Sector TA and Education</b>		
7929 District website (page IV-26 and VI-14 of Plan Update)	existing, ongoing	Goal 3 Goal 4
<b>Commercial/Industrial Sector Technical Assistance and Education Programs</b>		
3429 Business and Industry Seminar - provides information to targeted companies related to recycling opportunities, how-to-conduct an in-house waste assessment and audit, etc. (pages IV-24, IV-39 and VI-14 of Plan Update)	existing, ongoing	Goal 3 Goal 4
3428 Business/Industrial Technical Advice - provides technical advice/info. to commercial and industrial sectors and site visits for reduction, reuse, recycling and waste exchange opportunities (pages IV-23, IV-38 and VI-14 of Plan Update)	existing, ongoing	Goal 3 Goal 4
3430 Business/Industry Waste Audits - professionally conducted waste audits that are offered yearly to businesses/industries throughout the County (pages IV-25, IV-40 and VI-14 of Plan Update)	existing, ongoing	Goal 3 Goal 4
3431 Reduction and recycling guides (pages IV-24, IV-39 and VI-14 of Plan Update)	existing, ongoing	Goal 3 Goal 4
<b>Curbside Recycling, Non-Subscription</b>		
3389 City of Upper Sandusky (pages IV-10 and VI-13 of Plan Update)	existing, ongoing	Goal 1 Goal 2
3390 Village of Carey (pages IV-9 and VI-13 of Plan Update)	existing, ongoing	Goal 1 Goal 2
3391 Village of Sycamore (pages IV-9 and VI-13 of Plan Update)	existing, ongoing	Goal 1 Goal 2

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**

5883 Wyandot County Recycling Center (pages IV-7 and VI-13 of Plan Update) existing, ongoing Goal 1  
Goal 2

**Drop-off Recycling, PT, Rural**

3394 City of Upper Sandusky area collection (pages IV-11 and VI-13 of Plan Update) existing, ongoing Goal 1  
Goal 2

3392 Village of Harpster area collection (pages IV-11 and VI-13 of Plan Update) existing, ongoing Goal 1  
Goal 2

3399 Village of Kirby area collection (pages IV-13 and VI-13 of Plan Update) existing, ongoing Goal 1  
Goal 2

3393 Village of Marseilles Village area collection (pages IV-15 and VI-13 of Plan Update) existing, ongoing Goal 1  
Goal 2

3400 Village of McCutchenville area collection(pages IV-14 and VI-13 of Plan Update) existing, ongoing Goal 1  
Goal 2

3395 Village of Nevada area collection (pages IV-12 and VI-13 of Plan Update) existing, ongoing Goal 1  
Goal 2

3398 Village of New Riegel Village area collection (pages IV-16 and VI-13 of Plan Update) existing, ongoing

3396 Village of Sycamore area collection (pages IV-15 and VI-13 of Plan Update) existing, ongoing Goal 1  
Goal 2

3397 Village of Wharton area collection (pages IV-13 and VI-13 of Plan Update) existing, ongoing Goal 1  
Goal 2

**Electronics Collection**

5870 Computer, TV and Other Electronics Collection - year-round collection of these materials at the District Recycling Center (pages IV-22 and VI-14 of Plan Update) existing, ongoing Goal 2

**Household Hazardous Waste**

3434 Provide HHW education and assistance (page IV-20 of the Plan Update) existing, ongoing Goal 5

3435 Publish lists of places that accept HHW including used motor oil (page V-8 of Plan Update) existing, ongoing Goal 5

**Industrial Recycling and Reduction**

5869 Business/Industry Recycling Collection - includes collection of certain recyclables, technical advice, assistance, pick-up and equipment (pages IV-18 and VI-14 of Plan Update). existing, ongoing Goal 2  
Goal 3  
Goal 4

**Lead-Acid Battery Programs**

3440 Publish a list of places that accept lead-acid batteries (page V-11 of Plan Update) existing, ongoing Goal 5

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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**Litter Prevention/Clean-Up**

3441 County and Township Highway Litter Collection - provide bags, certificates, prizes etc. to promote litter collection along state, county and township highways, school property, parks and other public lands in County (pages IV-21 and VI-13 of Plan Update)	existing, ongoing	none
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**MRFs**

5884 Wyandot County Recycling Center (pages VI-7 and VI-16 of Plan Update)	existing, ongoing	Goal 2
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**Other Facilities (1)**

3444 CEW Wyandot Sanitary Landfill (page VI-16 of Plan Update)	existing, ongoing	none
5886 City of Upper Sandusky Class IV Compost Site (pages III-10 and VI-17 of Plan Update)	existing, ongoing	Goal 2
5887 Michael L. Schoenberger Class IV Composte Site (pages III-10 and VI-17 of Plan Update)	existing, ongoing	Goal 2
5885 Village of Carey Yard Waste Collection Site (pages III-10 and VI-17 of Plan Update)	existing, ongoing	Goal 2

**Other Programs**

7927 Countywide OCC Collection - collection at small businesses and commercial locations (pages IV-18 and VI-14 of Plan Update)	existing, ongoing	Goal 2
7931 Other Incentive Grants - incentives including promotions, prizes, coupons, etc. to encourage participation in District programs; possibly will include community grants to public and private entities (pages IV-35 and VI-15 of Plan Update)	existing, ongoing	Goal 2
5872 Other Special Waste Collections - includes "Other" special waste collections throughout the year for pharmaceuticals, thermometers, school chemicals, batteries, etc. (pages IV-23 and VI-14 of Plan Update)	existing, ongoing	Goal 2
3406 Per Capita Community Grants - annual grants given to City of Upper Sandusky, Village of Carey and Village of Sycamore to help the costs of maintaining non-subscription curbside programs (pages IV-35 and VI-15 of Plan Update)	existing, ongoing	Goal 1 Goal 2
5881 Targeting Paper Products - program initiated by the District to capture more OCC through placement of dumpsters at high generation commercial businesses and blue bins in school classrooms and offices in the County (page V-14 of Plan Update)	existing, ongoing	Goal 2
5882 Targeting Single Serve Containers - focus on continuing to expand the collection of glass, PETE and aluminum materials (page V-14 of Plan Update)	existing, ongoing	Goal 2

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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8014 Teacher Newsletter - newsletter created specifically for school staff containing District resource list, information about school recycling, schedule for upcoming District activities, environmental quotes, etc. (pages IV-30 and VI-14 of Plan Update)	existing, ongoing	Goal 3 Goal 4
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#### **Other Residential/Commercial Recycling**

5871 Appliance/White Goods Drop-off - throughout the year the district will accept appliances/white goods from district residents (pages IV-22 and VI-14 of Plan Update)	existing, ongoing	Goal 2
5867 Business/Industry Recycling Collection - includes collection of certain recyclables, technical advice, assistance, pick-up and equipment (pages IV-18 and VI-14 of Plan Update).	existing, ongoing	Goal 2 Goal 3 Goal 4
3401 City of Upper Sandusky OCC collection - OCC collection at small businesses and commercial locations (pages IV-17 and VI-14 of Plan Update)	existing, ongoing	Goal 2
3402 Countywide School District Recycling Collection - includes technical support to schools regarding the maintenance of recycling programs as well as pick up of materials, processing and marketing of materials (pages IV-19 and VI-14 of Plan Update)	existing, ongoing	Goal 2 Goal 3 Goal 4

#### **Residential Sector Education and Awareness**

5873 Composting Awareness - provides "Don't Bag It", composting information and brochures to citizens along with demonstrations and workshops to promote backyard composting (pages IV-29 and VI-14 of Plan Update)	existing, ongoing	Goal 3 Goal 4
3417 Contests - District sponsors and promotes various contests on recycling and litter as awareness/educational activities such as t-shirts, posters, etc. (pages IV-30 and VI-14 of Plan Update)	existing, ongoing	Goal 3 Goal 4
3423 County Fairbooth - reflects a different recycling theme every year; provides informational handouts on all solid waste and reduction issues and "hands on" activities along with contests and prize drawings (pages IV-27 and VI-14)	existing, ongoing	Goal 3 Goal 4
7928 District website (page IV-26 and VI-14 of Plan Update)	existing, ongoing	Goal 3 Goal 4
3416 Educational facility - part of the District's office space, District utilizes this space along with its recycling center and the County landfill as educational tools for citizens (pages IV-29 and VI-14 of Plan Update)	existing, ongoing	Goal 3 Goal 4
3426 Environmental educators - District has a part-time environmental educator that works throughout the year educating preschool through adults (page V-8 of Plan Update)	existing, 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?
3427 Handout of all residential recycling opportunities (pages IV-28 and VI-14 of Plan Update)	existing, ongoing	Goal 4
3414 Media Ads - includes radio advertisements, and on occasion, local newspaper advertisements, billboards, signs, posters, etc. addressing reduce, reuse and recycling issues (pages IV-26 and VI-14 of Plan Update)	existing, ongoing	Goal 3 Goal 4
3415 Other Awareness Activities - on a random basis, district displays at various events, building floats and/or participating in parades, provides awareness materials and/or door prizes, etc. (pages IV-28 and VI-14 of Plan Update)	existing, ongoing	Goal 3 Goal 4
5878 Other Miscellaneous Activities - includes all programs which are not already listed in schedule and could include essay contests, post-office collection, grant writing and administration, media blitz, etc. (page IV-36 of Plan Update)	existing, ongoing	Goal 3 Goal 4
7932 Public Newsletter - quarterly newsletter created for the general public that contains District and recycling information, schedule for upcoming events, environmental quotes, etc. (pages IV-31 and VI-14 of Plan Update)	existing, ongoing	Goal 3 Goal 4
3425 Resource Lending Library - extensive environmental resource library that contains curriculum guides, videos, books, magazines, periodicals, papers and brochures that is available to the public (pages IV-34 and VI-15 of Plan Update)	existing, ongoing	Goal 3 Goal 4
5877 School Presentations - education/specialist and/or coordinator visits schools throughout the County and gives presentations that are varied from year to year (pages IV-34 and VI-15 of Plan Update)	existing, ongoing	Goal 3 Goal 4
3422 Science Fair Program - activity promotes participation in science fair projects and in projects related to the environment through classroom visits and a resource library (pages IV-33 and VI-15 of Plan Update)	existing, ongoing	Goal 3 Goal 4
3419 Teacher and Sharing Workshops - annual activity that is conducted to make teachers and others aware of environmental issues associated with solid waste, recycling and pollution and how District can be a resource (pages IV-31 and VI-14 of Plan Update)	existing, ongoing	Goal 3 Goal 4
5875 Third and Fourth Grade Classroom Visits - includes activities targeting third and fourth grade students related to an environmental topic and poster contest (pages IV-33 and VI-15 of Plan Update)	existing, ongoing	Goal 3 Goal 4
3420 Youth Programs - assistance to individuals and advisors to teach members of their clubs about litter and solid waste issues; District working with clubs when they hold recycling collections and litter pick-ups, etc (pages IV-32 and VI-14 of Plan Update)	existing, 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**

3432 Scrap Tire Collection - fee-based, year-round collection of tires for district residents and communities (pages IV-20 and VI-13 of Plan Update)	existing, ongoing	Goal 2 Goal 5
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(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.