



**Environmental
Protection Agency**

John R. Kasich, Governor
Mary Taylor, Lt. Governor
Scott J. Nally, Director

March 6, 2012

CERTIFIED MAIL

The Honorable Michael Welch
Chairperson, Board of Directors
Ashland County Solid Waste Management District
110 Cottage St
Ashland, Ohio 44805

The Honorable Barb Queer, Policy Committee Chairperson
Ashland County Solid Waste Management District
110 Cottage St
Ashland, Ohio 44805

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

Dear Commissioner Welch and Commissioner Queer:

The Director of the Ohio Environmental Protection Agency (Director) has reviewed and approved the ratified draft solid waste management plan update (Plan) for the Ashland 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 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) 728-5353.

Sincerely,



Deb Hoffman
Environmental Specialist
Division of Solid and Infectious Waste Management

DH/tms

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 Scott, Coordinator, Ashland County SWMD
 Mike Reiser, Environmental Supervisor, DMWM-NWDO

BEFORE THE
OHIO ENVIRONMENTAL PROTECTION AGENCY

In the matter of:

Ashland County	:	Director's Final
Solid Waste Management District	:	Findings and Orders
1270 Middle Rowsburg Rd	:	
Ashland, Ohio 44805	:	

I. JURISDICTION

These Director's Final Findings and Orders (Orders) are issued to the Ashland 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, the policy committee of 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 District's existing solid waste management plan was approved on September 19, 2005 and covers a planning period of fifteen years. The District's draft amended solid waste management plan was due to Ohio EPA on September 19, 2010.

official documents as filed in the records of the Ohio Environmental Protection Agency.

By: Janya Lassiter Date: 3/6/12

3. On September 10, 2010, Ohio EPA received a draft amended solid waste management plan from the District's Policy Committee.
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 18, 2010, Ohio EPA mailed a written, nonbinding advisory opinion concerning the draft amended solid waste management plan received on September 10, 2010 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 was 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 December 16, 2011, Ohio EPA received a ratified, draft, amended solid waste management plan from the District's Policy Committee.
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 District's ratified, draft, amended plan that was received by Ohio EPA on December 16, 2011 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

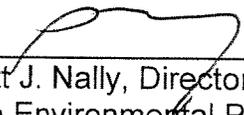
Nothing contained herein shall be construed to prevent Ohio EPA from seeking legal or equitable relief to enforce the terms of these Orders or from taking other administrative, legal, or equitable action as deemed appropriate and necessary, including seeking penalties against the District for noncompliance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



Scott J. Nally, Director
Ohio Environmental Protection Agency

ATTACHMENT 1 TO THE FINDINGS AND ORDERS
Summary of the Implementation Schedule for the
Ashland

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?
Curbside Recycling, Non-subscription		
149 Ashland City (pp 17, 32, 48, 68, 78)	existing, ongoing	Goal 1, 2
Curbside Recycling, Subscription		
8454 Loudonville Village (pp 17, 32, 48, 68, 78)	existing, ongoing	Goal 1, 2
Drop-off Recycling, FS, Rural		
7853 Ashland County Service Center/Vermillion Twp (pp 18, 27, 48, 69, 78)	2009, ongoing	Goal 1, 2
174 Loudonville Village/Hanover Township - Gribble's IGA (pp 19, 27, 49, 69, 78)	2000, ongoing	Goal 1, 2
178 Mifflin Township Fire Department (pp 19, 27, 49, 69, 78)	existing, ongoing	Goal 1, 2
5852 Nova Village/Troy Twp (pp 18, 27, 49, 69, 78)	2005, ongoing	Goal 1, 2
175 Perrysville Fire Department (pp 18, 27, 48, 69, 78)	2000, ongoing	Goal 1, 2
158 Savannah Village/Clear Creek Township (pp 18, 27, 48, 69, 78)	existing, ongoing	Goal 1, 2
Drop-off Recycling, FS, Urban		
5363 Ashland - Buehler's Fresh Food Market (pp 18, 27, 48, 69, 78)	existing, ongoing	Goal 1, 2
8456 Ashland University Recycling Program (pp 18, 27, 49, 69, 78)	existing, ongoing	Goal 1, 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, PT, Rural

177 Lake Township Garage (pp 20, 27, 50, 70, 78)	existing, ongoing	Goal 1, 2
5364 Mohican Township Garage (pp 19, 27, 50, 70, 78)	existing, ongoing	Goal 1, 2
5362 Polk Village United Methodist Church (pp 19, 27, 50, 70, 78)	existing, ongoing	Goal 1, 2
161 Sullivan Village/Clear Creek Twp Garage (pp 20, 27, 50, 70, 78)	existing, ongoing	Goal 1, 2

Drop-off Recycling, PT, Urban

8468 Ashland County Courthouse (pp 18, 27, 48, 70, 78)	existing, ongoing	Goal 1, 2
8469 County Sheriff's Department (pp 18, 27, 48, 70, 78)	existing, ongoing	Goal 1, 2

Electronics Collection

5365 Year-round collection of electronics at the Ashland County Recycling Center (pp 29, 69)	existing, ongoing	Goal 2, 5
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Household Hazardous Waste

201 Household Hazardous Waste Collection Event (at least every 2 years) (pp 32, 50, 69)	existing, ongoing	Goal 2, 5
204 Household Hazardous Waste Education (pp 32, 69)	existing, ongoing	Goal 3, 4, 5

Industrial Recycling and Reduction

8472 Industrial Surveys (p 69)	existing, ongoing	goal 3, 4
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Lead-Acid Battery Programs

212 Collection at the Recycling Center (pp 33, 69)	existing, ongoing	Goal 2, 5
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MRFs

8455 Ashland County Recycling Center (pp 18, 28, 48, 69, 78)	existing, ongoing	Goal 1, 2
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Other Residential/Commercial Recycling

8457 Ashland/Holmes Vocational School (private) (pp 18, 27, 49, 70)	existing, ongoing	Goal 1, 2
8458 Black River Elementary (private) (pp 19, 27, 49, 70)	existing, ongoing	Goal 1, 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?
8471 Commercial Surveys (p 68)	existing, ongoing	Goal 3
8470 District provides commercial recycling pick-up (pp 31, 51, 68)	existing, ongoing	Goal 1, 2, 3
8459 Hillsdale Elementary West (private) (pp 19, 27, 49, 70)	existing, ongoing	Goal 1, 2
8460 Hillsdale High School (private) (pp 19, 27, 49, 70)	existing, ongoing	Goal 1, 2
8461 Kno-Ho-Co Head Start (private) (pp 19, 27, 49, 70)	existing, ongoing	Goal 1, 2
8462 Loudonville High School (private) (pp 19, 27, 49, 70)	existing, ongoing	Goal 1, 2
8463 Mapleton High School (private) (pp 19, 27, 49, 70)	existing, ongoing	Goal 1, 2
8464 McMullen Elementary E. (private) (pp 19, 27, 49, 70)	existing, ongoing	Goal 1, 2
8465 Montgomery Elementary (private) (pp 19, 27, 49, 70)	existing, ongoing	Goal 1, 2
8466 Perrysville Middle School (private) (pp 19, 27, 49, 70)	existing, ongoing	Goal 1, 2
181 Year-round collection of appliances the Ashland County Recycling Center (pp 28, 68)	existing, ongoing	Goal 2
Residential Sector Education and Awareness		
5372 Adopt-a Road program (p 30)	existing, ongoing	Goal 3, 4
186 Annual Poster Contest (p 30)	existing, ongoing	Goal 3, 4
5370 District Website (p 68)	existing, ongoing	Goal 3, 4
187 Educational Display at fairgrounds and community events (p 30)	existing, ongoing	Goal 3, 4
190 Environmental Education Coordinator (pp 30, 68)	existing, ongoing	Goal 3, 4
191 Tours (Recycling Center, Willo'Dell Nursery and Compost Center) (p 30)	existing, ongoing	Goal 3, 4
Scrap Tire Programs		
198 Year-round collection of tires at the Ashland County Recycling Center (pp 29, 68)	2004, ongoing	Goal 2, 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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Yard Waste Programs

5367 Howard's Nursery, Inc. Class IV (pp 21, 29-30, 69)	existing, ongoing	Goal 2, 5
5368 Markley's County Butchering Class II (pp 21, 29-30, 69)	existing, ongoing	Goal 2, 5
5369 Ohio Department of Transportation Class II (pp 21, 29-30, 69)	existing, ongoing	Goal 2, 5
207 Willo'Dell Yard Waste Class IV (pp 21, 69)	existing, ongoing	Goal 2, 5