



John R. Kasich, Governor
Mary Taylor, Lt. Governor
Craig W. Butler, Interim Director

CERTIFIED

March 17, 2014

The Honorable Daniel R. Claypool, President
Ashtabula County Board of County Commissioners
Ashtabula County Solid Waste Management District
25 West Jefferson Street
Jefferson, Ohio 44047-1092

RE: Ashtabula County SWMD
Long Term Planning – Reg. Entity
DFFO
Solid Waste Management Planning
Ashtabula County
171773

Subject: Solid Waste Management Plan for the Ashtabula County Solid Waste Management District Issued Pursuant to Division (D) of Ohio Revised Code Section 3734.55

Dear Commissioner Claypool:

Ohio EPA has completed the solid waste management plan for the Ashtabula County Solid Waste Management District (District). That solid waste management plan is enclosed with this letter as are the Director's Final Findings and Orders (Findings and Orders) requiring the District to implement Ohio EPA's solid waste management plan.

Ohio EPA greatly appreciates the hard work that District staff put in during the process of developing this solid waste management plan. Ohio EPA also appreciates time and effort representatives from the cities of Ashtabula and Conneaut devoted to helping Ohio EPA improve the recycling infrastructure in Ashtabula County. While the process has not been easy, Ohio EPA believes that the effort everyone put into the solid waste management plan will result in a strong recycling infrastructure that will provide the District's residents and businesses with opportunities to recycle.

The District should proceed to implement the enclosed solid waste management plan in accordance with the implementation schedule and timeline contained in the enclosed solid waste management plan and in Attachment 1 to the Findings and Orders. Please be advised that 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."

Pursuant to ORC Section 3734.551 Division (B), Ohio EPA is required to send the board of county commissioners a demand for reimbursement of expenses incurred by Ohio EPA in preparing the District's solid waste management plan update. Ohio EPA's cost for preparing the plan was \$41,000. The District will reimburse Ohio EPA in three payments, with the first payment due in 2017. Shortly after receiving this letter, the District will receive another letter explaining in more detail how payment is to be made.

The District's board of county commissioners is required to submit, on behalf of the District, quarterly proposed budgets to Ohio EPA for approval. These quarterly budgets are required to be submitted on a form prescribed by

the Director of Ohio EPA and are due 30 days before the beginning of each calendar quarter according to the following schedule:

- First quarter (January 1 through March 31) is due on or before December 1 of the previous year;
- Second quarter (April 1 through June 30) is due on or before March 1 of each year;
- Third quarter (July 1 through September 30) is due on or before May 31 of each year;
- Fourth quarter (October 1 through December 31) is due on or before August 31 of each year.

The District's first quarterly budget will be due to Ohio EPA no later than June 1, 2014 and will represent planned expenditures for the third quarter of 2014 (July 1 through September 30). Ohio EPA will send the District the form that it will use for its quarterly proposed budgets.

As required by law, 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 implementing Ohio EPA's solid waste management plan, please contact me by e-mail at ernest.stall@epa.ohio.gov or by telephone at (614) 728-5356.

Again, thank you for your contributions to the solid waste management plan.

Sincerely,



Ernie Stall

ES/ljm

Enclosures(2): Solid Waste Management Plan
Director's Final Findings and Orders

cc (with enclosures): Joseph Moroski, Policy Committee Chairperson, Ashtabula County Solid Waste District
Jarnal Singh, Environmental Supervisor, DMWM – NEDO
Janice Switzer, Coordinator, Ashtabula County Solid Waste Management District

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.

OHIO E.P.A.

MAR 17 2014

By: *[Signature]* Date: 3-17-14

ENTERED DIRECTOR'S JOURNAL

BEFORE THE

OHIO ENVIRONMENTAL PROTECTION AGENCY

In the matter of:

Ashtabula County	:	Director's Final
Solid Waste Management District	:	Findings and Orders
25 West Jefferson Street	:	
Jefferson, Ohio 44047-1092	:	

I. JURISDICTION

These Director's Final Findings and Orders (Orders) are issued to Ashtabula 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 covers 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 November 6, 2002 and covers a planning period of fifteen or more years. The District's draft amended solid waste management plan was due to Ohio EPA November 6, 2007.

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Director's Final Findings and Orders

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3. On November 6, 2007, 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 December 21, 2007, Ohio EPA mailed a written, nonbinding advisory opinion concerning the draft amended solid waste management plan received on November 6, 2007 to the District's Policy Committee.
6. Pursuant to ORC Section 3734.55, a SWMD's policy committee 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. Ohio EPA never received a ratified, draft, amended solid waste management plan from the District's Policy Committee.
8. Pursuant to Division (D) of ORC Section 3734.55, the director of Ohio EPA is required to prepare a solid waste management plan for a SWMD that fails to obtain approval of its solid waste management plan within eighteen months from the date the SWMD was required to submit the draft amended solid waste management plan. The director of Ohio EPA is further required order the SWMD's board of directors to implement the solid waste management plan prepared by Ohio EPA.
9. The District failed to obtain approval of its solid waste management plan update by May 6, 2009.
10. The director of Ohio EPA notified the District, via correspondence dated June 1, 2009, that Ohio EPA had initiated the process of preparing a solid waste management plan for the District.
11. The director of Ohio EPA has completed a solid waste management plan for the District.

12. Pursuant to Division (E) of ORC Section 3734.574, a SWMD that was levying either a disposal fee or a generation fee at the time the director of Ohio EPA orders the SWMD to implement a solid waste management plan is required to submit proposed quarterly budgets to the director of Ohio EPA in order to spend money received from those fees.
13. The District was levying a disposal fee as of the date these orders were issued.

V. ORDERS

1. In accordance with Division (D) of ORC Section 3734.55, the District shall proceed to implement the amended solid waste management plan prepared by the director of Ohio EPA in accordance with the strategies, programs, and activities described in the plan and the implementation schedule included as Attachment 1 to these Orders.
2. In accordance with Division (E) of ORC Section 3734.574, the Ashtabula County Board of County Commissioners shall submit to the director of Ohio EPA proposed quarterly budgets in order to spend money received from levying the disposal fee. The Ashtabula Board of County Commissioners shall submit these proposed quarterly budgets not later than 30 days before the beginning of each calendar year quarter on a form that will be prescribed by the director of Ohio EPA and sent to the county commissioners.

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.

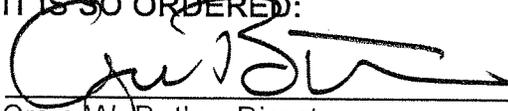
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Nothing in these Orders shall be construed to limit the authority of Ohio EPA to seek relief for violations which may occur.

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:~~



Craig W. Butler, Director
Ohio Environmental Protection Agency

ATTACHMENT 1 TO THE FINDINGS AND ORDERS
Summary of the Implementation Schedule for the
Ashtabula 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?
Buy-Backs, Haulers, and Scrap Yards		
3566 Private buy back facilities	ongoing	Goal 2
Commercial/Industrial Sector TA and Education		
8931 Business and Industry Recycling Guide	ongoing	Goal 3
3564 County Office Building and School Recycling	ongoing	Goal 2
3565 Parks and Recreation Recycling	ongoing	Goal 2
3579 Recycling Grants and Loans Identification	ongoing	Goal 3
8934 Residential/Commercial Sector Reduction/Recycling Surveys	ongoing	Goal 2
3563 Small Businesses Recycling Assistance	ongoing	Goal 2
Curbside Recycling, Non-subscription		
8930 Ashtabula City	2014, ongoing	Goals 1,2
3461 Geneva City	ongoing	Goals 1,2
Drop-off Recycling, FS, Rural		
3465 Andover Township/Andover Village, 134 Maple Street	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?
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7605 Austinburg Township Garage, 1393 S.R. 45, Austinburg	ongoing	Goal 1
3477 Harpersfield Township, 5430 S.R. 307 West, Harpersfield	ongoing	Goal 1
3484 Morgan Township/Roaming Shores/Rock Creek, 2844 S.R. 45, Roaming Shores	ongoing	Goal 1
3480 Orwell Township/Orwell Village, 2693 U.S. 322 East, Orwell	ongoing	Goal 1
3481 Pierpont Township Garage, S.R.7, Pierpont	ongoing	Goal 1
7606 Sheffield Township, 3636 Sheffield-Monroe Road	ongoing	Goal 1
3486 Windsor Township, 5122 S.R. 534	ongoing	Goal 1

Drop-off Recycling, FS, Urban		
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3466 Ashtabula City Sanitation Department, 501 West 24th Street	ongoing	Goal 1
3472 Conneaut City Water Distribution Plant, 513 Clark Street	ongoing	Goal 1
3473 Conneaut City, Save-a-Lot, 350 W. Main Street	ongoing	Goal 1
3476 Geneva City/Geneva Township, 700 Austin Road North	ongoing	Goal 1
3556 Geneva Township, Waste Management Geneva Landfill, 2591 Tuttle Road	ongoing	Goal 1
3478 Jefferson Township, Jefferson Village Garage, 221 N. Market Street	ongoing	Goal 1
7607 Saybrook Township, 7247 Center Road (S.R. 45)	ongoing	Goal 1

Grants		
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3595 Curbside Recycling Grant Program	2014, ongoing	none
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Health Dept. Funding/Open Dumps		
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3598 Health Department Clean-ups	ongoing	none
3597 Health Department Funding	ongoing	none

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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Household Hazardous Waste

3586 HHW Collection Event	ongoing	Goal 5
3585 HHW Education	ongoing	Goal 5
3587 HHW Voucher Program	ongoing	Goal 5

Industrial Recycling and Reduction

8933 Industrial Sector Reduction/Recycling Surveys	ongoing	Goal 2
8932 Waste Assessments/Audits	ongoing	Goal 3

Lead-Acid Battery Programs

3588 LAB Recycler List	ongoing	Goal 5
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Other Programs

8935 Evaluation of Filter Cake Material	2014, ongoing	Goal 2
8936 Staffing Evaluation	as needed	N/A

Other Residential/Commercial Recycling

8939 Consortiums	2014, ongoing	Goal 1
8940 Drop-off Consortium	2014, ongoing	Goal 1
8941 High Efficiency Drop-off Program	2014, ongoing	Goal 1
3567 PAYT Technical Assistance	ongoing	Goals 3,4
8937 Recycling Transfer Facility	2014, ongoing	Goal 2

Residential Sector Education and Awareness

8953 Annual District Program Guide	ongoing	Goals 3,4
8951 Automated Calls	2014-2015	Goals 3,4
8944 Billboards	2015-2016	Goals 3,4

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?
3574 Civic Group Presentations	ongoing	Goal 3,4
8952 Community Recycling Ambassadors	2014, ongoing	Goals 3,4
8947 Door Hangers	2014-2015	Goals 3,4
3573 Education Displays and Exhibits	ongoing	Goals 3,4
8949 Newspaper Advertisements	2014, ongoing	Goals 3,4
8945 Newspaper Inserts	2014-2015	Goals 3,4
3575 Press Releases/Ribbon-cutting Ceremonies	ongoing	Goals 3,4
8943 Promotional Item Distribution	ongoing	Goals 3,4
8948 Public Access Television	2014, ongoing	Goals 3,4
3569 School Presentations	ongoing	Goals 3,4
8946 Social Media	2014, ongoing	Goals 3,4
8950 Videos	2014, ongoing	Goals 3,4
8942 Website	ongoing	Goals 3,4
Scrap Tire Programs		
8938 City of Ashtabula Tire Collection	ongoing	Goal 5
3583 Tire Clean-ups	ongoing	Goal 5
3584 Tire Collection Event	ongoing	Goal 5
3582 Tire Recycler List	ongoing	Goal 5
Yard Waste Programs		
3590 Yard Waste Education for Local Governments	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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3589 Yard Waste Education for Residents

ongoing

Goal 2

