



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

OHIO E.P.A.

FEB 12 2013

ENTERED DIRECTOR'S JOURNAL

February 12, 2013

CERTIFIED MAIL

The Honorable Tom Whiston, President
DKMM Board of Directors
Morrow County Commissioners
80 North Walnut Street, Suite A
Mount Gilead, OH 43338

Mayor Dick Mavis, Policy Committee Chairperson
City of Mt. Vernon
40 Public Square
Mt. Vernon, Ohio 43050

RE: Ohio Revised Code Section 3734.55(C)(1) Delaware, Knox, Marion, Morrow Counties Joint Solid Waste Management District, Solid Waste Management Plan Approval

Dear Commissioner Whiston and Mayor Mavis:

The Director of the Ohio Environmental Protection Agency (Director) has reviewed and approved the ratified draft solid waste management plan update (Plan) for the Delaware, Knox, Marion, Morrow Counties 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 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

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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) 728-5336.

Sincerely,



Angel Arroyo-Rodriguez
Environmental Specialist
Division of Materials and Waste Management

AAR/sw

Enclosures (2): Director's Final Findings and Orders
Attachment 1 to the Findings and Orders

cc (with enclosures): Larry Cooper, Coordinator, DKMM Counties Joint SWMD
Jeremy Scoles, Environmental Supervisor, DMWM-NWDO
Melissa Storch, Environmental Manager, DMWM-CDO

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: Tom Lassiter Date: 2-12-13

OHIO E.P.A.
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ENTERED DIRECTOR'S JOURNAL

BEFORE THE
OHIO ENVIRONMENTAL PROTECTION AGENCY

In the matter of:

Delaware, Knox, Marion, Morrow Joint	:	Director's Final
Solid Waste Management District	:	Findings and Orders
222 West Center Street		
Marion, Ohio 44302		

I. JURISDICTION

These Director's Final Findings and Orders (Orders) are issued to the Delaware, Knox, Marion, Morrow 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 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 August 18, 2006 and covers a planning period of fifteen or more years. The District's draft

amended solid waste management plan was due to Ohio EPA on August 18, 2011.

3. On August 15, 2011, 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 September 29, 2011, Ohio EPA mailed a written, nonbinding advisory opinion concerning the draft amended solid waste management plan received on August 15, 2011 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 November 16, 2012, 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 November 16, 2012 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

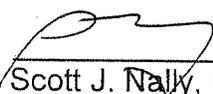
Nothing contained herein shall be construed to prevent Ohio EPA from seeking legal or equitable relief to enforce the terms of these Orders or from taking other administrative, legal, or equitable action as deemed appropriate and necessary, including seeking penalties against the District for noncompliance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

Delaware, Knox, Marion, Morrow 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?
Commercial/Industrial Sector TA and Education		
8687 Identify service providers. Maintain "Business Recycling, Waste and Disposal Service Guide" pp V-12, Table VI.5	2013-2027	3, 4
3748 Industrial Survey pp VI-22	1995-2027	3,4
8703 Information on developing waste reduction programs, pp VI-22	2013-2027	3, 4
8704 OMEEx information, pp VI-23	2013-2027	3, 4
8688 TA and education on guidelines and methodology for performing waste audits, pp V-12	2013-2027	3, 4
3747 Web site section with resources and links for businesses and industry, pp VI-22	2013-2027	3,4
Curbside Recycling, Non-subscription		
5859 Delaware County - Genoa Township, Table VI.5	2007-2027	1
5858 Delaware County - Orange Township, Table VI.5	2005-2027	1
3137 Delaware County Ashley Village , Table VI.5	1988-2027	1
3134 Delaware County Delaware City , Table VI.5	1991-2027	1
3138 Delaware County Galena Village , Table VI.5	2002-2027	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?
3140 Delaware County Powell City, Table VI.5	1993-2027	1
3139 Knox County Gambier Village , Table VI.5	1988-2027	1
3718 Knox County Mt. Vernon City, Table VI.5	2002-2027	1
3135 Marion County Marion City, Table VI.5	1991-2027	1
3136 Morrow County Mt. Gilead Village, Table VI.5	1991-2027	1
Curbside Recycling, Subscription		
8677 Delaware County Kingston Township, Table VI.5	2012-2027	1
8678 Delaware County Liberty Township, Table VI.5	2012-2027	1
3143 Delaware County Shawnee Hills Village Table VI.5	1993-2027	1
3141 Morrow County Cardington Village , Table VI.5	1997-2027	1
3142 Morrow County Edison Village , Table VI.5	1997-2027	1
Drop-off Recycling, FS, Rural		
3151 Delaware County Ashley Village/Oxford Township at Buckeye Valley East Elementary , Table VI.5	2007-2027	1
3724 Delaware County Brown Township Table VI.5	2012-2027	1
3175 Delaware County Harlem Township , Table VI.5	1993-2027	1
3727 Delaware County Kingston Township Table VI.5	2012-2027	1
3726 Delaware County Porter Township Table VI.5	2012-2027	1
3154 Delaware County Radnor Township , Table VI.5	1997-2027	1
3723 Delaware County Scioto Township / Ostrander Village at Scioto Township Hall/Fire Station Table VI.5	2012-2027	1
3156 Delaware County Trenton Township , Table VI.5	2002-2027	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?
3722 Delaware County Troy Township Table VI.5	2012-2027	1
8680 Knox County Brown Township Jelloway at Ramser Arboretum , Table VI.5	2013-2027	1
3159 Knox County Centerburg Village / Hilliar Township , Table VI.5	1993-2027	1
3160 Knox County Danville Village / Union Township , Table VI.5	1993-2027	1
3162 Knox County Martinsburg Village / Clay Township , Table VI.5	2007-2027	1
3720 Marion County - Prospect Village (revised list)	2013-2027	1
3168 Marion County Bowling Green & Montgomery Townships/Larue Village (Elgin West Elementary) Table VI.5	2013-2027	1
3145 Marion County Claridon Township/Caledonia at River Valley HS Table VI.5	2013-2027	1
8684 Marion County Claridon Township/Caledonia Town Square, Table VI.5	2013-2027	1
3164 Marion County Grand Prairie Township (Ridgedale Elementary) p VII-7	2013-2027	1
3167 Marion County Green Camp Township at Elgin Jr. HS Table VI.5	2013-2027	1
3734 Marion County New Bloomington Village at New Vision Fire Dept Table VI.5	2013-2027	1
3736 Marion County Pleasant Township at Senior Citizen Center Table VI.5	2013-2027	1
3735 Marion County Waldo Township at Waldo Park Table VI.5	2013-2027	1
3172 Morrow County Bennington Township at Marengo Village Table VI.5	2013-2027	1
3737 Morrow County Cardington Township Table VI.5	2013-2027	1
3169 Morrow County Chester Township at Chesterville , Table VI.5	2007-2027	1
3739 Morrow County Franklin Township Table VI.5	2013-2027	1
3738 Morrow County Lincoln Township Table VI.5	2013-2027	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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3171 Morrow County Perry Township at Johnsville ES , Table VI.5	1993-2027	1
5861 Morrow County South Bloomfield Township at Highland HS, Table VI.5	2007-2027	1
3170 Morrow County Washington Township at Iberia Elementary, Table VI.5	2007-2027	1
3173 Morrow County Westfield Township , Table VI.5	2007-2027	1

Drop-off Recycling, FS, Urban

3725 Delaware County Berlin Township Table VI.5	2012-2027	1
3174 Delaware County Genoa Township, Table VI.5	2002-2027	1
8679 Delaware County Liberty Township at Olentangy Liberty HS, Table VI.5	2012-2027	1
3152 Delaware County Liberty Township at Wyandote Run Elementary , Table VI.5	2013-2027	1
3153 Delaware County Orange Township , Table VI.5	1997-2027	1
3189 Delaware County Sims Recycling , Table VI.5 (formerly Worly)	2007-2027	1
3155 Delaware County Sunbury Village , Table VI.5	1993-2027	1
3161 Knox County Fredericktown/Wayne, Morris, Middlebury, Berlin Townships, Table VI.5	1993-2027	1
3729 Knox County Howard Township Table VI.5	2012-2027	1
3190 Knox County Knox County / Mt. Vernon Rumpke Recycling Center Table VI.5	2002-2027	1
3192 Marion County Marion City (Sims Bros. Inc.) Table VI.5	2007-2027	1
3721 Morrow County - Mid-Ohio Recycling Center (revised list)	2013-2027	1

Drop-off Recycling, PT, Rural

8681 Knox County Berlin Township , Table VI.5	2013-2027	1
3731 Knox County Harrison Township Table VI.5	2002-2027	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?
3728 Knox County Liberty Township Table VI.5	2002-2027	1
3733 Knox County Miller Township Table VI.5	2002-2027	1
3732 Knox County Monroe Township , Table VI.5	2007-2027	1
3730 Knox County Pike Township Table VI.5	2002-2027	1
5435 Knox County, Monroe Twp. (replacement for Jackson Twp)	2007-2027	1
8708 Morrow County - Marengo UNC (revised list)	2013-2027	1, 2
3740 Morrow County Congress Township at Northmoor HS Table VI.5	2013-2027	1
Financial Incentives/PAYT		
8698 Provide information and technical assistance on alternate fee structures (volume based rates), pp V-23	2013-2027	1, 2, 6
Grants/Funding		
8690 Recycling Grant Program. Curbside recycling, public/private partnerships for recycling activities, volume-based rate waste collection, equipment, start/upgrade business/institutional/industrial recycling, outreach, education, Table VI.5 OPTIONAL	2013-2027	1, 2, 3, 4
Health Dept. Funding/Open Dumps		
3215 Health Department funding solid waste enforcement, pp VI-24 OPTIONAL	2007-2027	1
Household Hazardous Waste		
3208 HHW Education - Brochure or flyer on HHW reduction and safe disposal. Curriculum for high school students, pp V-22	2013-2027	5
3207 Household hazardous waste collection program. Collection of General HHW. pp V-22 OPTIONAL	2007-2027	5
Lead-Acid Battery Programs		
3214 Lead-acid battery program (accept at HHW collection events) pp V-23	2007-2027	5
Market Development Programs		
8701 Include "Buy Recycled" in education programs, pp V-24	2013-2027	7
8702 Integrate "Buy Recycled" into industry education programs, pp V-24	2013-2027	7

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?
8699 List or resources of recycled products for various applications, pp V-24	2013-2027	7
8700 Purchasing of recycled products, pp V-24	2013-2027	7
Other Programs		
8692 Annual survey of scrap yards, pp V-14	2013-2027	1, 2, 3, 4
5860 Environmental Contingency Fund for Natural Disasters- District maintains a contingency fund and allocates revenue to the fund approximately on an annual basis. OPTIONAL	2007-2027	1, 2, 3, 4
8695 Infrastructure Inventory - recycling infrastructure and services in each county pp V-20	2013-2027	1, 2, 3, 4
Other Residential/Commercial Recycling		
8691 Assistance to local governments to ensure contracts include mandatory recycling reporting, pp V-14	2013-2027	1,2
8685 Contact communities likely candidates for non-subscription curbside programs pp V-8, V-9	2013-2027	1
8686 Delaware & Knox Counties AbitibiBowater Paper Retriever Program, Table VI.5, pp V-12 OPTIONAL	2013-2027	1
8683 Delaware County 3 additional full-service urban drop-offs as needed Table VI.5	2013-2027	1
3741 Drop-offs management and service contracts. CRLPO's drop-off advertising services pp V-11	2001-2027	1,2
8697 Information on difficult to recycle materials - appliances, electronics & others. Include in Comprehensive Resource Guide & Infrastructure Survey, pp V-23, VI-21	2013-2027	1, 2, 3, 4
8689 Small generator businesses access to residential drop-off program. Periodic survey of businesses, pp V-12, V-13	2013-2027	3,4
Residential Sector Education and Awareness		
3744 Comprehensive Resource Guide, how, where, when and what to recycle for each county. Website & print. Pp V-19	2013-2027	3,4
8694 County Outreach and Marketing Plans, pp V-19	2013-2027	1, 2, 3, 4
5856 District Web Site - District shall develop and implement a Public Web Site to disseminate information, Table VI.5 pp V-18	2007-2027	3,4
8693 Education and information on yard waste reduction, backyard composting, etc. pp VI-17	2013-2027	1, 2
3194 School Presentations and Programs pp V-18	2007-2027	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?
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3746 Speakers/Presenters - Community Presentations pp V-20	2007-2027	3,4
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Scrap Tire Programs		
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8696 Scrap tire recycling information and education (strategies a & b) pp V-22	2013-2027	5
3219 Scrap tire/open dump cleanup (in cooperation w/ health departments) pp V-22 OPTIONAL	2007-2027	5
3204 Tire Amnesty Program (2 one day collection events per year) pp V-22 OPTIONAL	2007-2027	5
3205 Tire Drop-offs by Political Subdivisions pp V-22 OPTIONAL	2007-2027	5

Yard Waste Programs		
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3749 Provide funding to yard waste composting operations pp V-14, V-15	2007-2027	1, 2, 3, 4
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