



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

## Certified Mail

April 25, 2014

The Honorable Robert Hastedt  
President of Board of County  
Commissioners  
1853 Oakwood Avenue  
Napoleon, Ohio 43545

**Re:** Henry County SWMD  
Long Term Planning for Reg Entity  
Solid Waste Management Planning  
Henry  
135

The Honorable Tom VonDeylen, Chairperson  
Henry County Solid Waste Management District  
1852 Oakwood Avenue  
Napoleon, Ohio 43545

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

Dear Commissioner Hastedt and Commissioner VonDeylen:

The Director of Ohio Environmental Protection Agency (Director) has reviewed and approved the ratified, draft, amended solid waste management plan update (Plan) for the Henry 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 request 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  
17<sup>th</sup> Floor  
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):              Michael Imbrock, Director, Henry County SWMD  
Jeremy Scoles, Environmental Supervisor, DMWM-NWDO

OHIO E.P.A.

APR 25 2014

ALTERED DIRECTOR'S JOURNAL

BEFORE THE  
**OHIO ENVIRONMENTAL PROTECTION AGENCY**

In the matter of:

Henry County Solid Waste Management District : Director's Final  
P.O. Box 96 : Findings and Orders  
Malinta, Ohio 43535

**I. JURISDICTION**

These Director's Final Findings and Orders (Orders) are issued to the Henry 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**

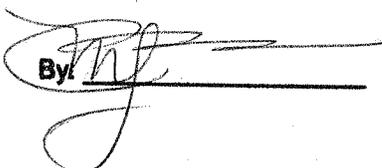
Unless otherwise stated, all terms used in these Orders shall have the same meanings as defined in ORC Chapter 3734 and the rules promulgated thereunder.

**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.

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: 

Date: 4-25-2014

2. The existing solid waste management plan for the District was approved on October 31, 2007 and covers a planning period of fifteen years. The date the District's draft amended solid waste management plan was due to Ohio EPA was October 31, 2012.
3. On November 1, 2012, 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 December 17, 2012, Ohio EPA mailed a written, nonbinding advisory opinion concerning the draft amended solid waste management plan received on November 1, 2012 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 January 27, 2014, 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 January 27, 2014 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.

Official documents as filed in the records of the Ohio Environmental Protection Agency

#### **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:**



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Craig W. Butler, Director  
Ohio Environmental Protection Agency



**ATTACHMENT 1 TO THE FINDINGS AND ORDERS**  
**Summary of the Implementation Schedule for the**  
**Henry 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>Buy-Backs, Haulers, and Scrap Yards</b>		
6624 N & R & G [page VI-28 of Plan Update]	Ongoing	Goal 2
6625 Okolona Iron & Metal [page VI-28 of Plan Update]	Ongoing	Goal 2
6623 Zack's Recycling [page VI-28 of Plan Update]	Ongoing	Goal 2
<b>Commercial/Industrial Sector TA and Education</b>		
9071 Brochures - District will develop a resource guide for proper management of recyclables that includes waste reduction and reuse options, proper management techniques and local recycling and disposal options [pages V-17 and VI-32 of Plan Update]	Ongoing	Goal 3, 4
6630 Brochures - District will work with larger commercial and industrial businesses and institutions to include District information and brochures for employees and visitors on a routine basis [pages V-17 and VI-32 of Plan Update]	Ongoing	Goal 3, 4
6656 Presentations - District provides education materials and presentations to businesses and groups [pages IV-25 and V-18 of Plan Update]	Ongoing	Goal 3, 4
<b>Curbside Recycling, Non-subscription</b>		
6608 Napoleon City [pages IV-9 and VI-30 of Plan Update]	Ongoing	Goal 1, 2
<b>Drop-off Recycling</b>		
6621 Hamler Village Recycling - 3 recycling events are held at a local church [pages IV-12 and VI-31 of Plan Update]	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?
6616 Holgate Village Drop-off - annual recycling event [pages IV-12 and VI-31 of Plan Update]	Ongoing	Goal 1, 2
6620 Ridgeville Township, Northwest Community College - recycling available to the campus residents and staff [pages IV-12 and VI-31 of Plan Update]	Ongoing	Goal 1, 2
<b>Drop-off Recycling, FS, Rural</b>		
6609 Deshler Village [pages IV-11 and IV-31 of Plan Update]	Ongoing	Goal 1, 2
6612 Henry County Landfill [pages IV-11 and IV-31 of Plan Update]	Ongoing	Goal 1, 2
6611 Liberty Center Village [pages IV-11 and IV-31 of Plan Update]	Ongoing	Goal 1, 2
6622 Malinta Village [pages IV-11 and IV-31 of Plan Update]	Ongoing	Goal 1, 2
6610 McClure Village [pages IV-11 and IV-31 of Plan Update]	Ongoing	Goal 1, 2
<b>Drop-off Recycling, FS, Urban</b>		
6613 Canal Basin and Napoleon Lion's Club [pages IV-11 and IV-31 of Plan Update]	Ongoing	Goal 1, 2
6627 Napoleon City, Heartland Disposal Service [pages IV-12 and VI-31 of Plan Update]	Ongoing	Goal 1, 2
6614 Napoleon City, N & R & G Recycling [pages IV-11 and IV-31 of Plan Update]	Ongoing	Goal 1, 2
6615 Napoleon City, Zacks Recycling [pages IV-11 and IV-31 of Plan Update]	Ongoing	Goal 1, 2
<b>Economic Incentives/PAYT</b>		
6654 Volume-Based Rate Support - District will provide technical and educational support to any communities or haulers who express an interest to switch to volume-based billing [pages IV-30 and VI-32 of Plan Update]	Ongoing	Goal 6
<b>Electronics Collection</b>		
9065 Henry County Landfill Recycling Drop-off - District provides year round collection for residents [pages IV-21 and VI-32 of Plan Update]	Ongoing	Goal 2,5
9066 Promote electronic recyclers - District website will contain a list of recyclers in the County [pages IV-21 and VI-32 of Plan Update]	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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**Household Hazardous Waste**

6633 Brochures - District provides brochure at County Fair and at landfill for residents [pages IV-18 and VI-31 of Plan Update]	Ongoing	Goal 3, 4, 5
6636 Henry County Landfill - accepts dried latex paint and LABs from residents [pages IV-18 and VI-31 of Plan Update]	Ongoing	Goal 2,5
9069 Initiative 4.1, Semi-Permanent, Full Service HHW Drop-off at Henry County Landfill - evaluate costs of providing semi-permanent facility that collects more HHW materials, flourescent bulbs and prescription drugs [pages V-14 and VI-31 of Plan Update]	2015	Goal 2,5
9070 Initiative 4.2, HHW Resource Guide - develop guide for the proper management of HHW [pages V-15 and VI-31 of Plan Update]	2015	Goal 5
6659 Used Oil - District maintains a list of businesses that accept used oil for residents who inquire [pages IV-18 and VI-31 of Plan Update]	Ongoing	Goal 5

**Industrial Recycling and Reduction**

9075 Industrial Sector Data Collection - District will continue to annually survey industrial sector businesses (SIC codes 20, 22-29) to obtain data on recycling, source reduction and waste generation [page IV-26 and VI-32 of Plan Update]	Ongoing	Goal 2,3,4
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**Lead-Acid Battery Programs**

6653 Henry County Landfill - accepts LABS from residents year round [pages IV-20 and VI-32 of Plan Update]	Ongoing	Goal 2, 5
6652 LAB list - District provides a list of private-sector collection locations [pages IV-20 and Vi-32 of Plan Update]	Ongoing	Goal 2, 5

**Litter Prevention/Clean-Up**

6637 Annual Litter Round-Up [pages IV-27 and VI-32 of Plan Update]	Ongoing	n/a
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**Market Development Programs**

6661 Expansion of Opportunities - District will expand its efforts to solicit quality projects for this grant via its website, identification of potential companies and aid with the application process [pages V-16 and VI-32 of Plan Update]	Ongoing	Goal 7
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**Other Facilities (1)**

6617 Henry County Transfer Station [pages V-20 and VI-32 of Plan Update]	Ongoing	n/a
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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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**Other Programs**

9067 Compact-flourescent light bulb - District promotes the recycling of CFL bulbs through 5 take-back programs [pages IV-19 and V-16 of Plan Update]	Ongoing	Goal 2,5
9072 District website - provides education information and recycling infrastructural information for the residential, commercial, institutional and industrial sectors in Henry County [pages IV-25 and V-18 of Plan Update]	Ongoing	Goal 3,4
9073 Institutional, School Recycling - District will work with schools to try and expand recycling through surveying and technical assistance [page V-18 of Plan Update]	Ongoing	Goal 2,3,4
9068 Napoleon City Fluorescent Bulb Take Back Program - take back program for customers of Napoleon Power and Light provided by city [pages IV-19 and V-16 of Plan Update]	Ongoing	Goal 2,5

**Other Residential/Commercial Recycling**

9074 Commercial Surveying - District will begin to survey this sector in stages which will allow the District to develop a detailed and consistent mailing list of commercial businesses [page V-19 of Plan Update]	2014-2016	Goal 2
9059 Initiative 2.1: Conduct stakeholder meetings with community leaders to understand issues preventing the development and determine possible solutions to provide curbside recycling services [pages V-13 and VI-30 of Plan Update]	2014 - 2018	Goal 1,2
9060 Initiative 2.2: Target communities to assist in development of curbside recycling services. Levels of assistance could include identifying barriers to program development and providing contract bid specifications [pages V-13 and VI-30 of Plan Update]	2014 - 2018	Goal 1,2
9061 Initiative 2.3: May survey residents from targeted political subdivisions on willingness to support a community-wide, single hauler contract for non-subscription curbside and recycling services w/ bulky item pick-up [pages V-13 and VI-30 of Plan Update]	as needed	Goal 1,2
9057 Strategy 1: Implement District-wide procedure for curbside recycling programs that cease to operate during the planning period [pages V-12 and VI-30 of Plan Update]	2014, ongoing	Goal 1,2
9058 Strategy 2: Implement District-wide procedure to support and assist municipalities, villages and townships to develop curbside recycling programs [pages V-12 and VI-30 of Plan Update]	2014 - 2018	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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**Residential Sector Education and Awareness**

6632 Brochures - District will develop a resource guide for proper management of recyclables that includes waste reduction and reuse options, proper management techniques and local recycling and disposal options [pages V-17 and VI-32 of Plan Update]	Ongoing	Goal 3,4,5
6635 Educational Videos - District provides videos to local schools, libraries and District offices. Topics include recycling, composting, and tire shredding [pages IV-25 and VI-32 of Plan Update]	Ongoing	Goal 3,4, 5
6628 Youth Presentations - District provides presentations for elementary school students explaining the importance of recycling, how to recycle and how youth are important to the recycling program [pages IV-25 and VI-32 of Plan Update]	Ongoing	Goal 3, 4

**Scrap Tire Programs**

6619 Henry County Landfill Class II Scrap Tire Facility [pages IV-22 and VI-32 of Plan Update]	Ongoing	Goal 2,5
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**Yard Waste Programs**

6650 Class III Compost Facility - Tri-State Garden Supply Co Inc Seasonal Yard Waste Drop-off [pages III-15 and VI-31 of Plan Update]	Ongoing	Goal 2, 5
6651 Class IV Compost Facility - Panning Excavation [pages III-15 and VI-31 of Plan Update]	Ongoing	Goal 2, 5
6645 Deshler Village Monthly Yard Waste Curbside Collection [pages IV-15 and VI-31 of Plan Update]	Ongoing	Goal 2, 5
6646 Hamler Village Seasonal Yard Waste Curbside Collection [pages IV-15 and VI-31 of Plan Update]	Ongoing	Goal 2, 5
9062 Holgate Seasonal Yard Waste Curbside Collection [pages IV-15 and VI-31 of Plan Update]	Ongoing	Goal 2,5
6647 Holgate Village Yard Waste Drop-off [pages III-15, IV-15 and VI-31 of Plan Update]	Ongoing	Goal 2, 5
9063 Liberty Center Seasonal Yard Waste Curbside Collection [pages IV-15 and VI-31 of Plan Update]	Ongoing	Goal 2,5
6648 Liberty Center Village Yard Waste Drop-off [pages III-15, IV-15 and VI-31 of Plan Update]	Ongoing	Goal 2, 5
6649 Malinta Village Yard Waste Drop-off [pages III-15, IV-15 and VI-31 of Plan Update]	Ongoing	Goal 2, 5
9064 Napoleon City Seasonal Yard Waste Curbside Collection [pages IV-15 and VI-31 of Plan Update]	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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6644 Napoleon City Yard Waste Drop-off [pages III-15 and VI-31 of Plan Update]

Ongoing

Goal 2, 5