



**Environmental
Protection Agency**

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

CERTIFIED MAIL

June 26, 2012

The Honorable Raymond E. Sines
Chairman, Board of County Commissioners
105 Main Street
Painesville, Ohio 44077

Mr. Daniel P Troy, Policy Committee Chairperson
Lake County Solid Waste Management District
105 Main Street
Painesville, Ohio 44077

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

Dear Commissioner Sines and Commissioner Troy:

The Director of the Ohio Environmental Protection Agency (Director) has reviewed and approved the ratified draft solid waste management plan update (Plan) for the Lake 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

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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) 728-5353.

Sincerely,



Deborah Hoffman
Environmental Specialist
Division of Materials and Waste Management

DH/jam

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

cc (with enclosures): Terrie TerMeer, Assistant Chief, ODNR, DRLP
Chris Hodges, Coordinator, Lake County SWMD
Lynn Sowers, Environmental Supervisor, DMWM-NEDO

BEFORE THE
OHIO ENVIRONMENTAL PROTECTION AGENCY

ENTERED DIRECTOR'S JOURNAL

In the matter of:

Lake County	:	Director's Final
Solid Waste Management District	:	Findings and Orders
105 Main Street	:	
Painesville, Ohio 44077	:	

I. JURISDICTION

These Director's Final Findings and Orders (Orders) are issued to the Lake 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 February 26, 2006 and covers a planning period of fifteen years. The District's draft amended solid waste management plan was due to Ohio EPA on February 26, 2011.

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: 6.26.2012

3. On March 1, 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 April 18, 2011, Ohio EPA mailed a written, nonbinding advisory opinion concerning the draft amended solid waste management plan received on March 1, 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 April 3, 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 April 3, 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

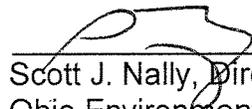
Nothing contained herein shall be construed to prevent Ohio EPA from seeking legal or equitable relief to enforce the terms of these Orders or from taking other administrative, legal, or equitable action as deemed appropriate and necessary, including seeking penalties against the District for noncompliance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

Lake County SWMD

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		
8547 ABITIBI collections, more than 100 sites (p VI-19)	ongoing	Goal 2
5654 OSU Extension maintains listing of active recyclers (p IV-8)	ongoing	Goal 2
Commercial/Industrial Sector TA and Education		
5642 Business Waste Reduction Committee (BWRC) - open enrollment committee of business and industrial reps to monitor, assess, identify and promote ways commercial and industrial organizations can reduce, reuse, and recycle waste (pp V-14-15, VI-18)	1993, ongoing	Goal 2
Curbside Recycling, Non-subscription		
7926 Kirtland City (pp V-14, VI-18)	2009, ongoing	Goal 1, 2
7157 Kirtland Hills Village (pp V-14, VI-18)	1995, ongoing	Goal 1, 2
7925 Madison Village (pp V-14, VI-18)	2009, ongoing	Goal 1, 2
8375 Mentor-on-the-Lake City (pp V-14, VI-18)	2010, ongoing	Goal 1, 2
7159 North Perry Village (pp V-14, VI-18)	2006, ongoing	Goal 1, 2
7160 Painesville City (pp V-14, VI-18)	2011, ongoing	Goal 1, 2
7162 Waite Hill Village (pp V-14, VI-18)	1995, 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?
8545 Willoughby Hills City (pp V-14, VI-18)	2010, ongoing	Goal 1, 2
Curbside Recycling, Subscription		
7545 Grand River Village (pp V-14, VI-18)	2008, ongoing	Goal 1, 2
7161 Lakeline Village (pp V-14, VI-18)	2011, ongoing	Goal 1, 2
8374 Leroy Township (pp V-14, VI-18)	2011, ongoing	Goal 1, 2
Drop-off Recycling, FS, Rural		
7144 Fairport Harbor Village (pp V-15, VI-19)	2006, ongoing	Goal 1, 2
7151 Perry Village (pp V-15, VI-19)	2006, ongoing	Goal 1, 2
7138 Timberlake Village (pp V-15, VI-19)	2006, ongoing	Goal 1, 2
Drop-off Recycling, FS, Urban		
7155 Concord Township (pp V-15, VI-19)	2006, ongoing	Goal 1, 2
7132 Eastlake City (pp V-15, VI-19)	2006, ongoing	Goal 1, 2
7150 Madison Township (pp V-15, VI-19)	2006, ongoing	Goal 1, 2
7547 Mentor City (pp V-15, VI-19)	2006, ongoing	Goal 1, 2
7147 Painesville Township (pp V-15, VI-19)	2006, ongoing	Goal 1, 2
7544 Perry Township (pp V-15, VI-19)	2006, ongoing	Goal 1, 2
7163 Wickliffe City (pp V-15, VI-19)	2006, ongoing	Goal 1, 2
7141 Willoughby City (pp V-15, VI-19)	2006, ongoing	Goal 1, 2
7143 Willowick City (pp V-15, VI-19)	2006, ongoing	Goal 1, 2
Electronics Collection		
8546 Community Drop-off, Eastlake City (p VI-19)	2009, 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?
5655 Electronics Recycling (p VI-19)	2002, ongoing	Goal 2, 5
Grants/Funding		
5663 Annual funding to support community residential recycling programs and activities (V-5, VI-20)	2006, discontinuing in 2015	Goal 6
Health Dept. Funding/Open Dumps		
5664 Funding for Lake County General Health District activities (p VI-20)	1991, ongoing	
Household Hazardous Waste		
5646 HHW Drop-off collection and education events twice per year (pp V-15, VI-19)	ongoing	Goal 5
Industrial Recycling and Reduction		
5662 Comprehensive survey of 10,000 commercial/industrial facilities (pp V-14, VI-18)	2009, ongoing	Goal 2
8543 Perform annual, smaller scale surveys than the 2009 comprehensive survey (pp V-14, VI-18)	ongoing	Goal 2
Litter Prevention/Clean-Up		
8554 Lake County Clean & Green cleanup and awareness contest - bags/gloves donated for multi-week District-wide litter cleanup (p VI-20)	ongoing	Goal 4
Other Programs		
8551 Disaster Debris assistance (p VI-20)	2012, ongoing	
8548 Host community subsidy program, Painesville Township (p VI-20)	1991, ongoing	
8550 Pharmaceutical collection/disposal at law enforcement centers around the District (pp V-15, VI-20)	2010, ongoing	Goal 5
Other Residential/Commercial Recycling		
5647 Appliance collection at Lake County Solid Waste Facility (p V-3)	ongoing	Goal 1, 2
5653 Comprehensive survey of 10,000 commercial/industrial facilities (pp V-14, VI-18)	1999, ongoing	Goal 2
8552 District will assist communities with recycling programs by preparing regional bidding packages and developing creative solutions for recycling (pp V-5 & 6)	ongoing	Goal 1, 2, 4
5652 Lake County Captains Baseball Games Recycling Day (pp IV-5, VI-21)	2003, 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?
5661 OSU Extension office assistance with fiber collection programs at county and local government, public and private schools, religious and non-profit organizations (V-12, VI-20)	ongoing	Goal 3, 4
8544 Perform annual, smaller scale surveys than the 2009 comprehensive survey (pp V-14, VI-18)	ongoing	Goal 2
Residential Sector Education and Awareness		
8558 Announcements providing special collection information/schedules in local newspapers, periodicals, OSU ext website, communities websites, and cable channels (p VI-21)	ongoing	Goal 4
8557 Book Markers providing special collections information and schedules (p VI-21)	2008, ongoing	Goal 4
8556 District conference meetings with Community Service Directors and Administrators (p VI-21)	2002, ongoing	Goal 4
5643 District recycling and special collections hot-lines (Lake County Dept of Utilities and OSU extension) (pp V-15, VI-21)	ongoing	Goal 5, 6
8553 OSU Extension agents provide classroom recycling education (pp V-12, VI-20)	ongoing	Goal 4
8549 Solid Waste/Recycling Education video showcasing the Lake County Solid Waste Facility and the District (p VI-20)	2008, ongoing	Goal 4
8555 Tours of Lake County Solid Waste Facility (p V-15)	ongoing	Goal 4
Scrap Tire Programs		
5657 Annual scrap tire collection at Lake County Fairgrounds (pp V-15, VI-19)	ongoing	Goal 2, 5
5659 Scrap tire collection at Lake County Solid Waste Facility, available year-round for fee (p VI-19)	ongoing	Goal 2, 5
7542 Tire drop-off collection for District villages and townships, held for a couple of week annually by Lake County Engineer (p VI-19)	ongoing	Goal 2, 5
Web Page and Social Media		
5651 District web-site (pp V-15, VI-20)	2001, ongoing	Goal 4
Yard Waste Programs		
5656 Communities and commercial businesses surveyed annually (p VI-20)	ongoing	Goal 2, 5