



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

CERTIFIED MAIL

April 4, 2013

The Honorable Jerry Laffin
Policy Committee Chairperson
Mercer County Solid Waste Management District
220 W. Livingston Street, Room A201
Celina, Ohio 45769-1030

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

Dear Commissioner Laffin:

The Director of the Ohio Environmental Protection Agency (Director) has reviewed and approved the ratified draft solid waste management plan update (Plan) for the Mercer 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 about implementing the approved Plan, please contact me at (614) 728-5356.

Sincerely,

A handwritten signature in cursive script, appearing to read "Ernie H. Stall".

Ernie Stall
Environmental Specialist
Division of Materials and Waste Management

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

cc (with enclosures): Kent Hinton, District Coordinator, Mercer County SWMD
Mike Reiser, Environmental Supervisor, DMWM-NWDO

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.

APR -4 2013

BEFORE THE
OHIO ENVIRONMENTAL PROTECTION AGENCY

ENTERED DIRECTOR'S JOURNAL
In the matter of:

By: Tim Cassader Date: 4-4-13

Mercer County	:	Director's Final
Solid Waste Management District	:	Findings and Orders
220 West Livingston Street, Suite A230	:	
Celina, Ohio 45822	:	

I. JURISDICTION

These Director's Final Findings and Orders (Orders) are issued to the Mercer 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 less than fifteen 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 third 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 April 2, 2009 and covers a planning period of less than fifteen years. The District's draft amended solid waste management plan was due to Ohio EPA on April 2, 2012.
3. On April 2, 2012, Ohio EPA received a draft amended solid waste management plan from the District's Policy Committee.

VII. RESERVATION OF RIGHTS

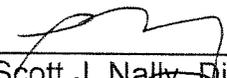
Nothing contained herein shall be construed to prevent Ohio EPA from seeking legal or equitable relief to enforce the terms of these Orders or from taking other administrative, legal, or equitable action as deemed appropriate and necessary, including seeking penalties against the District for noncompliance 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
Mercer 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?
Commercial Recycling and Reduction Programs		
2275 County Office Recycling Program (Table VI-5)	2004, ongoing	Goal 2
Commercial/Industrial Sector TA and Education		
7348 Commercial business recycling and waste reduction assistance (pg. V-15)	existing, ongoing	Goal 3 & Goal 4
7347 County office recycling program performance promotion (pg. V-15)	existing, ongoing	Goal 3 & Goal 4
2282 General technical assistance: answer questions on solid waste management issues, provide resources on recycling and solid waste management (pg V-16)	existing, ongoing	Goal 3 & Goal 4
Curbside Recycling, Subscription		
4992 Burkettsville Village (Table VI-5)	existing, ongoing	Goal 2
2268 Celina City (Table VI-5)	existing, ongoing	Goal 2
4994 Chickasaw Village (Table VI-5)	existing, ongoing	Goal 2
4988 Coldwater Village (Table VI-5)	existing, ongoing	Goal 2
4991 Fort Recovery Village (Table VI-5)	existing, ongoing	Goal 2
2269 Franklin Township (Table VI-5)	existing, 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?
4989 Rockford Village (Table VI-5)	existing, ongoing	Goal 2
4993 St. Henry Village (Table VI-5)	existing, ongoing	Goal 2
Drop-off Recycling, FS, Rural		
7358 Burkettsville Village (Table VI-5)	2008, ongoing	Goal 2
8804 Chickasaw Village - Ohio Recycling (Table VI-5)	existing, ongoing	Goal 2
8802 Jefferson Township (Table VI-5)	2009, ongoing	Goal 2
8803 St. Henry Village - St. Henry High School (Table VI-5)	2009, ongoing	Goal 2
Drop-off Recycling, PT, Rural		
7357 Rockford Village - Parkway High School (Table VI-5)	2008, ongoing	Goal 2
Electronics Collection		
8805 The District will continue to promote electronics recycling through its website (Table VI-5)	existing, ongoing	Goal 4 & Goal 5
Health Dept. Funding/Open Dumps		
7340 The District will continue to provide financial assistance to the health department for landfill inspections and well testing (Table VI-5)	existing, ongoing	N/A
Household Hazardous Waste		
2289 Evaluate opportunity to operate the HHW program with a user fee to residents (Table VI-5)	2014, ongoing	Goal 2 & Goal 5
2288 Household Hazardous Waste Collection Program -provide HHW collection events to residents (Table VI-5)	existing, ongoing	Goal 2 & Goal 5
7337 Used Oil Management - collect used oil at HHW collection events and advertise, on website, locations where residents can take used oil (Table VI-5)	existing, ongoing	Goal 2, Goal 4, & Goal 5
Industrial Recycling and Reduction Program		
2281 Waste assessments and audits if requested (pg. V-16)	existing, ongoing	Goal 3 & Goal 4
Lead-Acid Battery Programs		
7338 Collect lead-acid batteries at at HHW collection events and advertise, on website, retailers that will accept lead-acid batteries (Table VI-5)	existing, ongoing	Goal 2, Goal 4 & Goal 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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Litter Prevention/Clean-Up

8807 Litter Collection (Table VI-5) existing, ongoing N/A

Market Development Programs

7344 Education/Awareness - SWMD will develop materials on "closed loop recycling" and incorporate "Buy Recycled" into education programs (Table VI-5) existing, ongoing Goal 3, Goal 4, & Goal 7

7343 Recycled Material Signage - District will work with Ohio Recycling to develop signage for drop-off bins that identifies that their products are made from recycled materials. (Table VI-5) existing, ongoing Goal 3, Goal 4, and Goal 7

7345 SWMD will work with Walmart in Celina to encourage and assist them with highlighting recycled-content products on special days (e.g. Earth Day) (Table VI-5) existing, ongoing Goal 3, Goal 4, & Goal 7

Other Facilities (1)

8813 Terminate contract with Ohio Recycling (Table VI-5) 2013, 2013 N/A

Other Programs

8809 Curbside Recycling Strategy 1.2, Initiative 1.2.1: conduct awareness campaigns to targeted communities to communicate value of contracting for waste and recycling (Table VI-5) 2013, 2017 Goal 4

8808 Curbside Recycling Strategy 1.1, Initiatives 1-1.1 and 1.1.2: for existing curbside programs, meet and determine cause of program elimination and offer assistance to re-start program, as plan allows (Table VI-5) as needed Goal 4

8811 Curbside Recycling Strategy 1.2, Initiative 1.2.3: conduct stakeholder meetings to understand the issues preventing contracting of curbside services (Table VI-5) 2013, 2017 Goal 4

8812 Curbside Recycling Strategy 1.2, Initiative 1.2.4: District may work with communities to develop suitable bid specifications for contracting for non-subscription curbside waste and recycling services (Table VI-5) as needed Goal 4

8810 Curbside Recycling Strategy 1.2, Initiative 1.2.2: evaluate options of conducting regional cooperative contracts for multiple smaller villages and cities for purchasing curbside waste and recycling services as needed Goal 4

2296 Plan implementation, preparation, and monitoring (Table VI-5) existing, ongoing N/A

8801 Work with political subdivisions to promote and support curbside recycling (Table VI-5) existing, ongoing Goal 2 & Goal 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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Other Residential/Commercial Recycling

8806 Appliance Management - collect appliances at HHW collection events and promote additional recycling outlets on the District's website (Table VI-5)	existing, ongoing	Goal 2 & Goal 4
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Residential Sector Education and Awareness

2279 Advertising campaigns (Table VI-5)	existing, ongoing	Goal 4
7334 Community Meetings (pg V-15)	existing, ongoing	Goal 3 & Goal 4
7336 Community solid waste contracting workshop (pg. V-15)	existing, ongoing	Goal 3 & Goal 4
4997 District Website (pg V-15)	existing, ongoing	Goal 3 & Goal 4
2278 Educator networking (pg V-15)	existing, ongoing	Goal 3 & Goal 4
2277 Material-specific education: scrap tires, lead-acid batteries, used oil (pg V-15)	existing, ongoing	Goal 4
2280 Targeted community education campaigns (Table VI-5)	existing, ongoing	Goal 4
8832 The District will evaluate how Ohio SWMDs as well as other regional governmental agencies operate a productive education and awareness program on limited funds (Table VI-5)	2014, ongoing	Goal 3 & Goal 4
4998 Youth/adult presentations Table VI-5)	existing, ongoing	Goal 3 & Goal 4

Scrap Tire Programs

5005 Continue tire amnesty events depending upon Ohio EPA grant funding (Table VI-5)	existing, ongoing	Goal 2 & Goal 5
7339 The District will promote scrap tire recycling by directing residents to local tire retailers (Table VI-5)	existing, ongoing	Goal 4 & Goal 5

Yard Waste Programs

7354 Celina Compost Brookside Wood Products Mark Vogel Poultry Village of St. Henry Wenning Poultry Farm	existing, ongoing	Goal 2 & Goal 5
7341 Education/Awareness: grass cycling and backyard composting (pg V-15) and continue composting education and awareness activities mainly through providing displays at community events and distributed brochures (Table VI-5)	existing, ongoing	Goal 2, Goal 4, & Goal 5