



**Environmental
Protection Agency**

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

July 10, 2012

CERTIFIED MAIL

The Honorable Christopher Day
Chairman, Board of County Commissioners
101 E. Main Street
Eaton, Ohio 45320-1791

Mr. Mark Goeke, Policy Committee Chairperson
Preble County Solid Waste Management District
2407 Bantas Creek Road
Eaton, Ohio 45320

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

Dear Commissioner Day and Mr. Goeke:

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

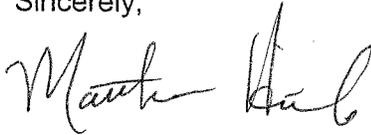
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Ohio Attorney General's Office, Environmental Enforcement Section. An appeal may be filed with the Environmental Review Appeals Commission at the following address:

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) 728-5369.

Sincerely,

A handwritten signature in cursive script, appearing to read "Matthew Hittle".

Matthew Hittle
Environmental Specialist
Division of Materials and Waste Management

MHH/jam

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

cc (with enclosures): Latisha Plaughter, Coordinator, Preble County SWMD
Tracy Buchanan, Environmental Supervisor, DMWM-SWDO

OHIO E.P.A.
JUL 10 2012
JOURNAL

**BEFORE THE
OHIO ENVIRONMENTAL PROTECTION AGENCY**

In the matter of:

Preble County	:	Director's Final
Solid Waste Management District	:	Findings and Orders
4400 State Route 127 South	:	
Eaton, Ohio 45320	:	

I. JURISDICTION

These Director's Final Findings and Orders (Orders) are issued to the Preble 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 September 19, 2006 and covers a planning period of fifteen years. The District's draft amended solid waste management plan was due to Ohio EPA on September 19, 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 *Denny Lassiter* Date: 7-10-12

3. On July 25, 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 7, 2011, Ohio EPA mailed a written, nonbinding advisory opinion concerning the draft amended solid waste management plan received on July 25, 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 May 31, 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 May 31, 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

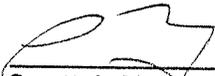
Nothing contained herein shall be construed to prevent Ohio EPA from seeking legal or equitable relief to enforce the terms of these Orders or from taking other administrative, legal, or equitable action as deemed appropriate and necessary, including seeking penalties against the District for noncompliance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

Status of Plan Implementation

Preble County SWMD

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1. Plan Elements	2. When will implementation of this strategy begin and end?	3. Which State Plan Goal will this strategy meet?	4. Describe any activity related to this plan element that was performed during the past year. Provide some measurement of the activity such as the frequency of collection, # of presentations, # of brochures distributed, etc. If the activity that was performed was different than what was described in your plan, then provide an explanation for the change. If the plan indicated that some activity related to the plan element would be done but the activity was not performed, then please provide an explanation. If the plan did not require activity, then enter "no activity required".
Commercial/Industrial Sector 1A and Education			
5895 Commercial/Industrial Recycling Recognition Program	existing, ongoing	Goal 3,4	
5899 County Fair/Festivals Solid Waste Management Plan	existing, ongoing	Goal 3,4	
3694 Provide list of applicable grants and low-interest loans	existing, ongoing	Goal 3,4	
8568 Waste Assessment Guide	2013, ongoing	Goal 3,4	
3695 Waste Assessments and Audits	existing, ongoing	Goal 3,4	
Curbside Recycling, Non-subscription			
2660 Eaton City	existing, ongoing	Goal 1,2	
4934 Lakengren Community	existing, ongoing	Goal 1,2	
3674 Lewisburg Village	existing, ongoing	Goal 1,2	
Drop-off Recycling			
3682 Bruce Elementary School	existing, ongoing	Goal 2	
3683 East Elementary School	existing, ongoing	Goal 2	
7880 Eaton High School	existing, ongoing	Goal 2	
7879 Eaton Middle School	existing, ongoing	Goal 2	

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5583 Preble County Courthouse, Eaton	existing, ongoing	Goal 2	
3680 Preble Shawnee High School	existing, ongoing	Goal 2	
7878 Tri-County North (K-12)	existing, ongoing	Goal 2	
<i>Drop-off Recycling, FS, Rural</i>			
3676 Camden IGA	existing, ongoing	Goal 1,2	
4935 College Corner Village	existing, ongoing	Goal 1,2	
5581 Eldorado Village	existing, ongoing	Goal 1,2	
5585 Farmer's Market, Gasper Township	existing, ongoing	Goal 1,2	
3679 Lewisburg (Brennans Grocery)	existing, ongoing	Goal 1,2	
7533 Morning Sun Village	existing, ongoing	Goal 1,2	
3678 National Trail High School	existing, ongoing	Goal 1,2	
2662 Preble County Landfill, Gasper Township	existing, ongoing	Goal 1,2	
3677 Twin Valley High School	existing, ongoing	Goal 1,2	
8388 Verona Village	existing, ongoing	Goal 1,2	
7534 West Elktion Village	existing, ongoing	Goal 1,2	
7532 West Manchester Village	existing, ongoing	Goal 1,2	

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Drop-off Recycling, FS, Urban			
3675 Eaton Fire Station	existing, ongoing	Goal 1,2	
Electronics Collection			
5892 Electronics accepted at landfill as part of HHW collection	existing, ongoing	Goal 5	
Financial Incentives/PAYT			
8560 Commercial/Industrial Financial Incentive Program	2013, ongoing	Goal 1,2	
8559 Community PAYT Financial Incentive Program	2013, ongoing	Goal 1,2	
8561 Multi-family Financial Incentive Program	2013, ongoing	Goal 1,2	
Grants/Funding			
3717 Grant Acquisition Program	existing, ongoing	Goal 7	
Household/Hazardous Waste			
5904 HHW collection at Preble County Landfill	existing, ongoing	Goal 5	
3702 Household hazardous Waste Brochure/Flyer	existing, ongoing	Goal 5	
3701 Household Hazardous Waste Technical Assistance	existing, ongoing	Goal 5	
3699 List of used oil collection locations	existing, ongoing	Goal 5	
2678 Used oil collection at the Preble County Sanitary Landfill and private businesses	existing, ongoing	Goal 5	
Lead-Acid Battery Programs			
3707 Collection of lead-acid batteries by private businesses	existing, ongoing	Goal 5	

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2680 Lead-acid battery collection at the Preble County Sanitary Landfill	existing, ongoing	Goal 5	
Market Development Programs			
3714 District purchase of recycled-content products	existing, ongoing	Goal 7	
3712 Promotion of recycled content materials	existing, ongoing	Goal 7	
Other Facilities (1)			
5902 Preble County Landfill	existing, ongoing	none	
Other Programs			
8566 Branding of drop-off recycling containers	2012, ongoing	Goal 3,4	
5898 Drop-off Recycling quarterly evaluation/recommendations	existing, ongoing	Goal 1,2	
8563 Promotion of curbside recycling to non-curbside communities	2012, ongoing	Goal 1,2	
8565 Provision of recycling bins to drop-off users	2012, ongoing	Goal 3,4	
3710 Survey Data Collection Program	existing, ongoing	Goal 2	
8562 Tracking of curbside participation rates	2012, ongoing	Goal 2	
8567 Work with service provider to expand materials accepted at drop-off recycling locations	2012, ongoing	Goal 2	
Other Residential/Commercial Recycling			
3684 Appliance collection at the Preble County Landfill	existing, ongoing	Goal 2	

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Residential Sector Education and Awareness			
5900 Adult Audience Presentations	existing, ongoing	Goal 3,4	
2674 Advertising including recycling opportunities, schedules, and curbside recycling promotion	existing, ongoing	Goal 3,4	
5896 District Web Site	existing, ongoing	Goal 3,4	
5897 Program Guide	existing, ongoing	Goal 3,4	
3697 Quarterly Newsletter	existing, ongoing	Goal 3,4	
3687 School Presentations	existing, ongoing	Goal 3,4	
3688 Special Event Recycling Education Displays	existing, ongoing	Goal 3,4	
Scrap Tire Programs			
3698 Local tire dealers accept used tires from residents and businesses	existing, ongoing	Goal 5	
2676 Registered tire facility at the Preble County Sanitary Landfill	existing, ongoing	Goal 5	
Yard Waste Programs			
3705 City of Eaton curbside yard waste collection	existing, ongoing	Goal 5	
5890 City of Lewisburg curbside yard waste collection	existing, ongoing	Goal 5	
3704 Provide yard waste information	existing, ongoing	Goal 5	
2679 Yard Waste Collection at the Preble County Sanitary Landfill	existing, ongoing	Goal 2.5	

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(1) Other facilities include those landfills, incinerators, and transfer stations that are used by the District that either: under construction or expansion; going through closure; or are owned, operated, or funded by the SMWD.

(2) Recycling opportunities which appear in all uppercase letters are those programs included in the ratified draft Plan for which clarifying information, provided by the Authority, indicates improved recycling services beyond what was identified in the ratified draft Plan. Recycling opportunities which appear in strike-out font are those same programs as originally described in the ratified draft Plan.

