



State of Ohio Environmental Protection Agency

STREET ADDRESS:

Lazarus Government Center  
50 W. Town St., Suite 700  
Columbus, Ohio 43215

TELE: (614) 644-3020 FAX: (614) 644-3184  
www.epa.state.oh.us

MAILING ADDRESS:

P.O. Box 1049  
Columbus, OH 43216-1049

JUL 23 2008

## CERTIFIED MAIL

The Honorable Ralph Harper, President  
Board of County Commissioners  
Greene County Solid Waste Management District  
35 Greene Street  
Xenia OH 45385-3101

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

Dear Commissioner Harper:

The Ohio Environmental Protection Agency (Ohio EPA) has reviewed and approved the ratified draft solid waste management plan update (Plan) for the Greene County Solid Waste Management 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 Environmental Review Appeals Commission within thirty (30) days after notice of this Director's action. The appeal must be accompanied by a filing fee of \$70.00 which the Commission, in its discretion, may reduce if by affidavit you demonstrate that payment of the full amount of the fee would cause extreme hardship. Notice of filing of the appeal shall be filed with the

Ted Strickland, Governor  
Lee Fisher, Lieutenant Governor  
Chris Korleski, Director

The Honorable Ralph Harper  
Greene County Solid Waste Management District  
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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  
309 S. Fourth Street  
Room 222  
Columbus, Ohio 43215

If you have any questions regarding implementation of the approved Plan, please contact me at (614) 728-5357.

Genuinely,



Channon Cohen-Denson  
Environmental Specialist 2  
Division of Solid and Infectious Waste Management

CCD/sw

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

cc (with enclosures): John Martin, Policy Committee Chairperson, Greene County SWMD  
Derek Anderson, Chief, ODNR, DRLP  
Dana Storts, Director, Greene County SWMD  
Tracy Buchanan, Environmental Supervisor, DSIWM-SWDO

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.

JUL 23 2008

By: Michael A. Shapiro 7/23/08 BEFORE THE  
**OHIO ENVIRONMENTAL PROTECTION AGENCY**

ENTERED DIRECTOR'S JOURNAL

In the matter of:

Greene County Solid Waste Management District : Director's Final  
2145 Greene Way Boulevard : Findings and Orders  
Xenia, Ohio 45385

### I. JURISDICTION

These Director's Final Findings and Orders (Orders) are issued to the Greene 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, 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 existing solid waste management plan for the District was approved on December 20, 2001 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 December 20, 2006.

3. On December 20, 2006, 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 February 5, 2007, Ohio EPA mailed a written, nonbinding advisory opinion concerning the draft amended solid waste management plan received on December 20, 2006 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 June 18, 2008, 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 June 18, 2008 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:**



Christopher Korleski, Director  
Ohio Environmental Protection Agency



**ATTACHMENT 1 TO THE FINDINGS AND ORDERS**  
**Summary of the Implementation Schedule for the**  
**Greene County SWMD**

Several sections of the solid waste management plan update submitted by the Greene County Solid Waste Management District (District) 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 as contained in the District's ratified, draft, amended solid waste management plan (Plan). These elements are listed in the table below. The contents of this table were discussed by the District and Ohio EPA on June 25, 2008 during a telephone conversation between the coordinator/executive director for the Greene County Solid Waste Management District, Dana Storts, and Channon Cohen of the Division of Solid and Infectious Waste Management.

**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 1995 Goal will this strategy be used to demonstrate compliance with?
<b>Commercial/Industrial Sector TA and Education</b>		
7011 Materials Interchange: District participates in program to allow businesses and industries to post excess materials they may have for sale and/or to purchase another company's materials (pages 60 and 86 and identified as P-6C in the Plan)	ongoing	Goal 4
7006 Outreach Effort: District staff offers exhibits at community events and County Fair booths, and presentations to community groups (pages 57 and 85 and identified as P-6A in the Plan)	ongoing	Goal 4
7003 Outreach Effort: District staff provides seminars on waste reduction, recycling and yard waste management (pages 57 and 85 and identified as P-5B in the Plan)	ongoing	Goal 3 Goal 4
7001 Provide brochures/flyers on source reduction, recycling and purchasing information and on how to use Recycling Center services; information sent to local jurisdictions and offered via County website (pages 57 and 85 and identified as P-5A in the Plan)	ongoing	Goal 3 Goal 4
7020 Public Information Campaign to promote activities designed to maximize the use of the Recycling Center and Services; activities may include press releases, paid advertising, web site information, etc. (pages 64 and 86 of the Plan)	2009 2013 2017	Goal 4
6999 Publication: Quarterly publication and distribution of Pipelines which provides waste reduction information (pages 58 and 85 and identified under P-5C and P-6B in the Plan)	ongoing	Goal 3
7008 Waste Reduction Information: District staff provides reduction tips and reuse options (pages 58 and 85 and identified as P-5D in the Plan)	ongoing	Goal 3 Goal 4

1. Elements of the Plan	2. According to the Plan, when will implementation of this strategy begin and end?	3. Which 1995 Goal will this strategy be used to demonstrate compliance with?
7009 Waste Reduction Information: District staff works with vendors, material exchanges and purchasing alternatives (pages 58 and 85 and identified as P-5D in the Plan)	ongoing	Goal 4
<b>Curbside Recycling, Non-subscription</b>		
1606 Bellbrook City: private hauler collecting OCC, ONP, mixed paper, glass, plastics #1, #2 and #6, bi-metal and Al cans (pages 51 and 84 and identified under P-1 of Plan)	ongoing	Goal 1 Goal 2
6970 Cedarville Village: private hauler collecting OCC, ONP, mixed paper, glass, plastics #1, #2 and #6, bi-metal and Al cans (pages 51 and 84 and identified under P-1 of Plan)	ongoing	Goal 1 Goal 2
6966 Fairborn City: private hauler collecting OCC, ONP, mixed paper, glass, plastics #1, #2 and #6, bi-metal and Al cans (pages 51 and 84 and identified under P-1 of Plan)	ongoing	Goal 1 Goal 2
6969 Jamestown Village: private hauler collecting OCC, ONP, mixed paper, glass, plastics #1, #2 and #6, bi-metal and Al cans (pages 51 and 84 and identified under P-1 of Plan)	ongoing	Goal 1 Goal 2
7021 Spring Valley Village: private hauler collecting OCC, ONP, mixed paper, glass, plastics #1, #2 and #6, bi-metal and Al cans (pages 51 and 84 and identified under P-1 of Plan)	ongoing	Goal 1 Goal 2
6967 Xenia City: private hauler collecting OCC, ONP, mixed paper, glass, plastics #1, #2 and #6, bi-metal and Al cans (pages 51 and 84 and identified under P-1 of Plan)	ongoing	Goal 1 Goal 2
6968 Yellow Springs Village: private hauler collecting OCC, ONP, mixed paper, glass, plastics #1, #2 and #6, bi-metal and Al cans (pages 51 and 84 and identified under P-1 of Plan)	ongoing	Goal 1 Goal 2
<b>Curbside Recycling, Subscription</b>		
6971 Beaver Creek City: private hauler collecting OCC, ONP, mixed paper, glass, plastics #1, #2 and #6, bi-metal and Al cans (pages 51 and 84 and identified under P-2 of Plan)	ongoing	Goal 1 Goal 2
6972 various unincorporated areas in the county not previously identified; private hauler collecting OCC, ONP, mixed paper, glass, plastics #1, #2 and #6, bi-metal and Al cans (pages 51 and 84 and identified as P-2 in the Plan)	ongoing	Goal 1 Goal 2
<b>Drop-off Recycling, FS, Urban</b>		
6973 Greene County Recycling Center: collects OCC, ONP, mixed paper, glass, plastics #1 and #2, bi-metal and Al cans, Ni-Cad batteries and cell phones (pages 53 and 84 and identified as P-4A in the Plan)	ongoing	Goal 1 Goal 2
<b>Household Hazardous Waste</b>		
6990 Monthly collection of household hazardous waste at Greene County Recycling Center (pages 55 and 84 and identified under P-4C in the Plan)	ongoing	Goal 2 Goal 5

1. Elements of the Plan	2. According to the Plan, when will implementation of this strategy begin and end?	3. Which 1995 Goal will this strategy be used to demonstrate compliance with?
<b>Lead-Acid Battery Programs</b>		
6997 Full-time collection of lead-acid batteries through Greene County Recycling Center drop-off (page 84 and identified under P-4A in the Plan)	ongoing	Goal 2
<b>Other Facilities (1)</b>		
6987 CEMEX, Inc (page 22 of the Plan)	ongoing	none
6984 Greene County Recycling Center (pages 53 and 84 and identified as P-4 in the Plan)	ongoing	Goal 1, 2, 3, 4 and 5
6986 River Metals [formerly Xenia Iron and Metal] (page 21 of the Plan)	ongoing	none
6985 Waste Management Transfer Station Fairborn (page 18 of the Plan)	ongoing	none
<b>Other Programs</b>		
7014 Commercial Recycling Surveying: Establish systematic surveying process to measure commercial recycling that includes annually determining the operating status of previously surveyed businesses and addition of new businesses (pages 62 and 86 of the Plan)	to begin 2010 or 2011 through 2022	Goal 2
7017 Industrial Recycling Surveying: Establish systematic surveying process to measure industrial recycling (pages 63 and 86 of the Plan)	to begin 2010 or 2011 through 2022	Goal 2
6995 Inter-Agency Recycling Network: District provides recycling for many local governmental offices; program collects office paper, ONP, magazines, OCC, plastics and cans (pages 56 and 85 and identified as P-4E in the Plan)	ongoing	Goal 2
6991 Monthly collection events for appliances and scrap metals at Greene County Recycling Center (pages 55 and 84 and identified under P-4C in the Plan)	ongoing	Goal 2
6992 Monthly collection events for electronics at Greene County Recycling Center (pages 55 and 84 and identified under P-4C in the Plan)	ongoing	Goal 2
7013 Residential Recycling Surveying: Establish systematic surveying process to measure residential recycling that includes annually surveying waste haulers that provide non-subscription and subscription curbside recycling (pages 62 and 86 of the Plan)	to begin 2008 through 2022	Goal 2
6996 Roadside Litter Collection: District staff collects litter along county roadways (pages 55 and 85 and identified as P-4D in Plan)	ongoing	none

1. Elements of the Plan	2. According to the Plan, when will implementation of this strategy begin and end?	3. Which 1995 Goal will this strategy be used to demonstrate compliance with?
6988 Wright Patterson AFB: extensive in-house recycling program including collection of various recyclable materials, yardwaste composting and vermicomposting (pages 29, 52 and 84 and identified as P-3A in the Plan)	ongoing	Goal 2
6989 Wright State University: in-house recycling of OCC, mixed paper and all other ferrous metals (page 30 of the Plan)	ongoing	Goal 2
<b>Residential Sector Education and Awareness</b>		
7004 Outreach Effort: District staff offers exhibits at community events, County Fair booths, presentations to various local schools and community groups (pages 57 and 85 and identified as P-5B in the Plan)	ongoing	Goal 4
7002 Outreach Effort: District staff provides seminars on waste reduction, recycling and yard waste management (pages 57 and 85 and identified as P-5B in the Plan)	ongoing	Goal 3 Goal 4
7010 Outreach Effort: District staff provides tours of Greene County Recycling Center (pages 57 and 85 and identified as P-5B in the Plan)	ongoing	Goal 4
7005 Press releases announcing new program offerings or changes at the Greene County Recycling Center (pages 57 and 85 and identified as P-5A in the Plan)	ongoing	Goal 4
7000 Provide brochures/flyers offering source reduction, recycling and purchasing information and how to use Recycling Center services; information sent to local jurisdictions and offered via County website (pages 57 and 85 and identified as P5-A in the Plan)	ongoing	Goal 3 Goal 4
7019 Public Information Campaign to promote activities designed to maximize the use of the Greene County Recycling Center and Services; activities may include press releases, paid advertising, web site information, etc. (pages 64 and 86 of the Plan)	2009 2013 2017	Goal 4
6998 Publication: Quarterly publication and distribution of Pipelines which provides waste reduction information (pages 58 and 85 and identified under P-5C in the Plan)	ongoing	Goal 3
7007 Waste Reduction Information: District staff provides reduction tips and reuse options (pages 58 and 85 and identified as P-5D in the Plan)	ongoing	Goal 3 Goal 4
<b>Scrap Tire Programs</b>		
6993 Collected along county roadways through the Roadside Litter Collection Program (pages 56 and 85 and identified in P-4D of the Plan)	ongoing	Goal 2 Goal 5
6994 Collected through Inter-Agency Recycling Network (pages 56 and 85 and identified in P-4E of the Plan)	ongoing	Goal 2 Goal 5

1. Elements of the Plan	2. According to the Plan, when will implementation of this strategy begin and end?	3. Which 1995 Goal will this strategy be used to demonstrate compliance with?
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***Yard Waste Programs***

6982 AJ Stapleton Excavating Co.: private composting operation (pages 32 and 86 of the Plan)	ongoing	Goal 2 Goal 4
6978 Beam Springs Inc.: private mulching operation (pages 31 and 86 of the Plan)	ongoing	Goal 2 Goal 4
6983 Bio Source: private composting operation (pages 32 and 86 of the Plan)	ongoing	Goal 2 Goal 4
6981 Cedarville Village: public composting operation (pages 32 and 86 of the Plan)	ongoing	Goal 2 Goal 4
6975 Greene County Recycling Center yard waste satellite in Beavercreek April through November (pages 54 and 84 and identified under P-4B in the Plan)	ongoing	Goal 2 Goal 4
6977 Greene County Recycling Center yard waste satellite in Fairborn April through November (pages 54 and 84 and identified under P-4B in the Plan)	ongoing	Goal 2 Goal 4
6976 Greene County Recycling Center yard waste satellite in Sugarcreek April through November (pages 54 and 84 and identified under P-4B in the Plan)	ongoing	Goal 2 Goal 4
6974 Greene County Recycling Center: provides full-time drop-off for leaves, grass and brush (pages 54 and 84 and identified as P-4B in the Plan)	ongoing	Goal 2 Goal 4
6979 My Lawn Inc.: private composting operation (pages 31 and 86 of the Plan)	ongoing	Goal 2 Goal 4
6980 Phillips Companies: private composting operation (pages 31 and 86 of the Plan)	ongoing	Goal 2 Goal 4

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