

# Possible Plan Cycle Changes

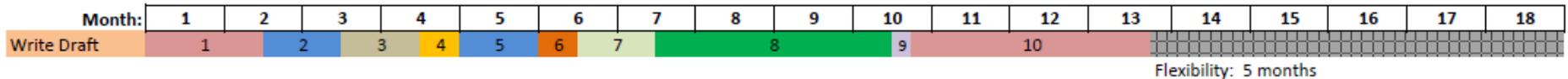
- Elimination of Statutory Start Date
- Draft due 14 months before due date (instead of 18)
- Expansion of NBAO to 60 days (from 45)
- Contingent Ohio EPA approval before ratification
- Reduce final Ohio EPA Plan Review time to 60 days (from 90)
- Possible 'for cause' extension of final deadline – up to 60 days

# Possible Plan Cycle Changes

## CURRENT PROCESS

Required start: 15 months before draft due

Draft Due: 18 months before final approval deadline

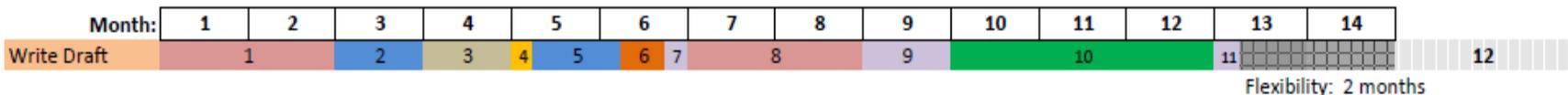


- |   |   |
|---|---|
| 1: Non-Binding Advisory Opinion (45 days)   | 6: Policy Committee approves final version (15 days)                  |
| 2: Policy Committee makes changes (30 days) | 7: Final distributed to communities (30 days)                         |
| 3: Public Comment Period (30 days)          | 8: Ratification (90 days)   |
| 4: Public Meeting (15 days)                 | 9: Certification by Policy Committee/Transmittal to Ohio EPA (7 days) |
| 5: Policy Committee makes changes (30 days) | 10: Ohio EPA Approval (90 days)                                       |

## NEW PROCESS

Required Start: None

Draft due 14 months before final deadline



- |  |   |
|--|---|
| 1: Non-Binding Advisory Opinion (60 days)            | 7: Transmittal to Ohio EPA (7 days)                             |
| 2: Policy Committee makes changes (30 days)          | 8: Ohio EPA Approval (60 days)                                  |
| 3: Public Comment Period (30 days)                   | 9: Transmittal to local communities (30 days)                   |
| 4: Public Meeting (7 days)                           | 10: Local Ratification (90 days)                                |
| 5: Policy Committee makes changes (30 days)          | 11: Certification by Policy Committee, Inform Ohio EPA (7 days) |
| 6: Policy Committee approves final version (15 days) | 12: Possible 60-day extension                                   |

# Possible Plan Cycle Changes - Discussion

---

- ▣ Are there proposed changes that you have concerns about?
- ▣ Are there changes to the process that you believe would be beneficial?
- ▣ Focusing on the contingent approval, how would this impact your ratification process?

# Rules and Authorities

- Several specific SWMD powers were mentioned during Phase I, including siting criteria and flow control.
  
- Let's focus on the 4 authorities from ORC 343.01(G):
  - Limiting Out-of-District Waste
  - Governing maintenance, protection and use of facilities
  - Developing Out-of-State waste inspection programs
  - Exemption from township zoning requirements

# Rules and Authorities - Discussion

---

- ▣ Why did you choose to adopt the current rules you have? What problem were you trying to address?
- ▣ How have these rules helped you achieve your objectives?
- ▣ Do you have any recommendations for how the current statutory authority for rules could be modified?

# Plan Submission Cycle

- ▣ Currently, most SWMDs on a 5 yr plan cycle
  - Potentially don't have a new approved plan until 6.5 years after last plan approval
  
- ▣ Plans begin to lose relevance related to details after about 3 years
  - Especially true of budgets

# Possible mid-Plan “Tune-up”

- ▣ Process would allow for “non-substantive” changes to the plans programs and budget
  - No Ratification or Ohio EPA Approval
  - Designation of ‘non-substantive’ a significant issue with this idea
  - Would have to have parameters in place

# Possible mid-Plan Revision Process

- ▣ *Examples of possible changes:*
  - Addition or reduction of line items in budget by 10%? 20% & “not to exceed”?
  - Addition, deletion or alteration of line items in budget totaling no more than 10% of budget
  - Updating of infrastructure/programs in line with budget changes

# Possible mid-Plan Revision Process

- ▣ *Examples of possible changes:*
  - Elimination of non-core programs
  - Addition of new programs that compliment other plan programs
  - [Others]

# Possible mid-Plan Revision Process



- ▣ Public Comment Period
- ▣ Process for Local Entities to Challenge changes as ‘substantive’, or appeal to Ohio EPA
- ▣ Process for Ohio EPA to challenge changes as ‘substantive’

# Possible mid-Plan Revision Process - Discussion

---

- ▣ Reaction? Thoughts? Suggestions?