Presented to:

OHIO SOLID WASTE MANAGEMENT SYSTEM REVIEW

January 31, 2013

Solid Waste Law Review: The Basics

Where Did This Come From?

H.B. 592 Passed in 1988

It's been on Ohio EPA's long-term "to-do" list for several years

Timing seemed right to take a holistic look, rather than react to piecemeal initiatives

Key Principles

Looking comprehensively at the entire system to make it more efficient and effective

Open, transparent process based on consensus-building

Not afraid to think big

Solid Waste Law Review: The Basics

Ohio EPA maintains our commitment to original HB 592 principles:

Waste management must be protective of human health and the environment

Continue to reduce reliance on landfills for solid waste management

But, we enter this process with very few pre-conceived notions about how to maintain that commitment

Solid Waste Law Review: Process

4 Phase Process (Approximately 18 months)

Phase I: *Information Gathering*

Phase II: *Discussion and Consensus Building*

Phase III: *Formal Proposal*

Phase IV: *Legislative Initiative*

Solid Waste Law Review: Process

Phase I: *Information Gathering*

March 2012 – June 2012

Informal sit down meetings

- Ohio EPA invitation
- All the obvious interested parties
- Information gathering focus
- Open invitation to others and individual members

Solid Waste Management Districts

County Commissioners

Health Departments

Environmental Groups

Recycling Organizations

Ohio Municipal League

Ohio Township Association

Ohio Chamber

Ohio Manufacturers

Solid Waste Consultants

NSWMA / SWANA

Individual Businesses

Individual Citizens

Planning Organizations

Solid Waste Law Review: Process

Phase I: Results

Engaged with over 300 participants through a variety of channels

Scheduled nearly 40 meetings between in April – June

- *32 External and 7 Internal*

Compiled a significant written record

- *Over 130 pages of hand-written notes*
- *17 formal documents*
- *Over a dozen substantive emails*

Solid Waste Law Review: Process

Phase 2: *Discussion and Consensus Building*

July 2012 – Early 2013

Significant resources being directed to research and benchmarking

Various methods of stakeholder engagement depending on issue

Facilitated discussions on certain issues

- Contracting with professional facilitators to ensure neutrality
- Ohio EPA is also encouraging discussion among IPs

Ultimately seeking consensus-based solutions

Solid Waste Law Review: Solutions Framework

Statutory Changes	Regulatory Changes	Partnerships & Initiatives	Shared Visions and Goals	'Parking Lot' Issue Identification
	Guidance, Policies & BMPs			

Solid Waste Law Review Process: Vision 2035

Draft Vision (Released October 9, 2013)

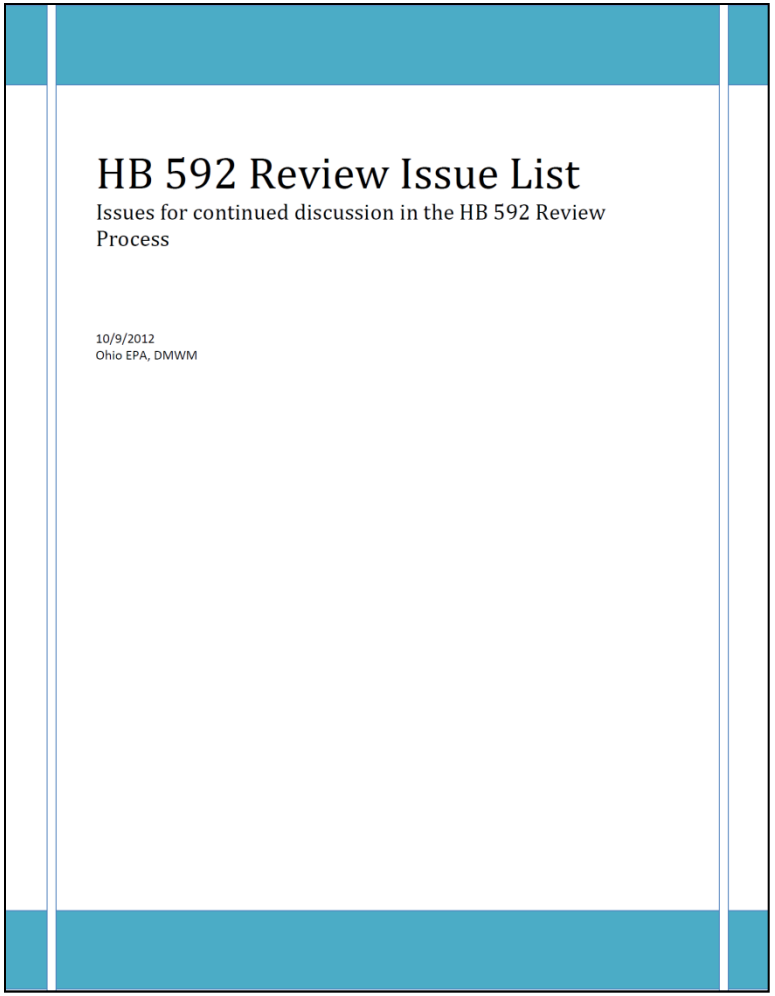
"Waste materials generated in Ohio are recognized as important resources that have significant economic value, and are managed in ways that maximize that value. It is also recognized that improper management of these materials has negative environmental, societal, human health and economic impacts. It is the norm for Ohio's citizens, businesses and institutions to use best management practices for waste materials. Landfilling of waste is practiced rarely, and only for materials where viable alternative management options do not exist. We strive toward zero landfilling.

To achieve this vision, Ohio will engage in a multi-faceted approach to materials management. We will:

Solid Waste Law Review Process: Vision 2035

- encourage reduced waste generation;
- recognize that all materials proceed through a life cycle, from design to disposal, and every participant in the life-cycle chain shares responsibility for the products we use and their end-of-life management;
- utilize the private sector to the maximum degree possible to manage these materials;
- recognize the important role that the public sector plays in monitoring, educating, and ensuring that all Ohioans are able to manage materials with the best methods possible while protecting human health and the environment;
- engage in private-public partnerships to implement innovative and successful solutions;
- promote the use of recycled and recyclable products;
- recognize waste-to-energy as a viable management option; and
- consider landfill disposal as a last resort."

Solid Waste Law Review Process: Issue List



HB 592 Review Issue List

Issues for continued discussion in the HB 592 Review Process

10/9/2012
Ohio EPA, DMWM

Nearly 100 issues – all raised from Phase I

As of 10/9/2012, Ohio EPA was willing to commit resources to these issues

Less than 20 issues were removed between Phase II kick-off meetings and the issuance of this list

Solid Waste Law Review Process: Process

Phase 2: Current Status

Over 15 Phase II meetings have been held thus far on various issues:

- Solid Waste Management District Planning Issues
- SWMD Authorities (including Designation/Flow Control)
- SWMD Consolidation
- Ohio's Scrap Tire Program
- Electronics Recycling
- Facility Oversight

Proposals on several issues are in the drafting stages, including:

- Post-Closure Care
- Abandoned "Orphan" Landfills
- Landfill Redevelopment

"Vision 2035" is nearly complete

Updated "Issue List" is currently under development

Solid Waste Law Review Process: Process

Phase 2: Current Status

Examples of Phase II research and other materials:

Scrap Tire Program Background

SWMD Planning/Authorities Discussion Material

Health Department Funding Spreadsheet

Solid Waste Law Review: Process

Phase 3: *Formal Proposal*

Spring 2013 – Summer 2013

Develop and issue draft recommendations for public comment

Discuss final proposals with SWAC

Issue comprehensive proposal

- Engage in extensive stakeholder outreach and engagement

Finalize and publish final comprehensive proposal

Solid Waste Law Review: Process

Phase 4: *Legislative Initiative*

Late Summer 2013 - ?

Goal is to pursue legislative action jointly with other interested parties

Consensus is the goal, but we will pursue changes without it if necessary

We may take two "bites" at the issues:

- First put forward consensus-based items
- Continue work on contentious items and return for a 2nd round

Ohio Solid Waste Management Review

House Bill 592 (HB 592), passed by the Ohio legislature in 1988, created the structure for the modern-day management of solid waste (garbage) in Ohio.

The law did a variety of things, including requiring Ohio EPA to adopt regulations to ensure that landfills are safe and protective of human health and the environment; creating local solid waste management districts that are responsible for developing and implementing local solid waste management plans; and creating the State Solid Waste Advisory Council (SWAC), which is responsible for developing State recycling goals (among other things). In short, the way that solid waste is regulated and managed in Ohio today is in large part a reflection of what was included in HB 592. For more information, refer to Ohio EPA's **House Bill 592 (GD# 0196)** fact sheet. Since HB 592 was passed in 1988, there have been many changes within the solid waste industry, and changes with technology and solid waste management and disposal practices. As a result, Ohio EPA has initiated a comprehensive review of HB 592.

The review will consider Ohio EPA's experience implementing the law, along with the experience gained from all interested parties including the solid waste industry, health departments, solid waste management districts, citizens and businesses. This information and experience will be the basis for proposing the changes necessary to improve the overall solid waste management system in Ohio.

Questions or Comments? Email Christopher Germain or call (614) 728 -5317

Current Status | **Issue List** | **Review Process** | **Get Involved** | **Meetings** | **Data and Proposals** | **Vision 2035** | **Related Documents**

Phase II is currently active and will continue through spring 2013. As meetings are scheduled, they will be posted on the HB 592 calendar. Results will be reported to the Solid Waste Management Advisory Council (SWAC). **Meeting materials** and a **webinar recording of the July 30 meeting** are available for review.

- Ohio EPA has announced a number of meetings for January and February 2013 with additional meetings in the planning stages. Please see the **Meetings tab** for details and to RSVP.
- Ohio EPA has released a **spreadsheet** containing solid waste related health department activities for 2011. All health departments are encouraged to view the spreadsheet and submit any corrections to **Adam Cummins** as soon as possible.
- Ohio EPA has released a **background summary** of Ohio's Scrap Tire Program in preparation for Scrap Tire meetings. All interested parties are encouraged to review the document and contact Ohio EPA with any questions or input.

Questions

Ohio Solid Waste Management Review Process

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