



John R. Kasich, Governor
Mary Taylor, Lt. Governor
Craig W. Butler, Director

MAR 03 2015

CERTIFIED MAIL

Mr. Tony Applegate
Chairperson, Board of Trustees
Brown County Solid Waste
Management Authority
800 Mt. Orab Pike
Georgetown, Ohio 45121-1184

Re: Brown County SWMA
Long Term Planning for Reg Entity
Solid Waste Management Planning
Brown
SWMD108

Subject: Ohio Revised Code Section 3734.55(C)(1) Brown County Solid Waste Management Authority Solid Waste Management Plan Approval

Dear Mr. Applegate:

The Director of the Ohio Environmental Protection Agency (Director) has reviewed and approved the ratified draft solid waste management plan update (Plan) for the Brown County Solid Waste Management Authority (Authority). 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 Authority's Plan.

The Authority 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 board of trustees to "...annually review implementation of the approved plan..."

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

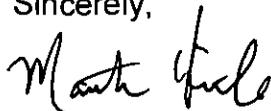
be filed with the Director within three (3) days of filing with the Commission. Ohio EPA requests that a copy of the appeal be served upon the Ohio Attorney General's Office,

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 regarding implementation of the approved Plan, please contact me at (614) 728-5369.

Sincerely,



Matthew Hittle
Environmental Specialist
Division of Materials and Waste Management

MT/clk

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

cc (with enclosures): Dan Wickerham, Coordinator, Brown County Solid Waste
 Management Authority
 Tracy Buchanan, Environmental Supervisor, DMWM-SWDO

OHIO E.P.A.

MAR -3 2015

BEFORE THE

OHIO ENVIRONMENTAL PROTECTION AGENCY

In the matter of:

Brown County	:	Director's Final
Solid Waste Management Authority	:	Findings and Orders
800 Mt. Orab Pike, Suite 101	:	
Georgetown, Ohio 45121-1184	:	

I. JURISDICTION

These Director's Final Findings and Orders (Orders) are issued to the Brown County Solid Waste Management Authority (Authority), 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 Authority.

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 board of trustees of a solid waste management authority (SWMA) with an approved solid waste management plan that contains a planning period of at least 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 fifth year anniversary of the date the existing solid waste management plan was approved.
2. The Authority's existing solid waste management plan was approved on January 15, 2009 and covers a planning period of fifteen years. The Authority's draft amended solid waste management plan was due to Ohio EPA on January 15, 2014.

3. On January 15, 2014, Ohio EPA received a draft amended solid waste management plan from the Authority's Board of Trustees.
4. Pursuant to ORC Section 3734.55, the director of Ohio EPA is required to provide the board of trustees of a SWMA 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 March 3, 2014, Ohio EPA mailed a written, nonbinding advisory opinion concerning the draft amended solid waste management plan received on January 15, 2014 to the Authority's Board of Trustees.
6. Pursuant to ORC Section 3734.55, the board of trustees of a SWMA 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 December 12, 2014, Ohio EPA received a ratified, draft, amended solid waste management plan from the Authority's Board of Trustees.
8. The director has determined that the Authority'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 Authority's ratified, draft, amended plan that was received by Ohio EPA on December 12, 2014 is hereby approved.
2. The Authority 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 Authority for noncompliance with these Orders.

Nothing contained herein shall be construed to prevent Ohio EPA from exercising its lawful authority to require the Authority 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 Authority 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 Authority. 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:



Craig W. Butler, Director
Ohio Environmental Protection Agency

ATTACHMENT 1 TO THE FINDINGS AND ORDERS
Summary of the Implementation Schedule for the
Brown County Solid Waste Management Authority

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?
Buy-Backs, Haulers, and Scrap Yards		
9183 Recycling Buyback at Adams Brown Recycling	ongoing	Goal 2
Commercial/Industrial Sector TA and Education		
3633 Conduct Waste Audits	ongoing	Goal 3,4
3635 Education & Awareness Program for Businesses	ongoing	Goal 3,4
3634 Kick-off campaigns for in-house recycling programs	ongoing	Goal 3,4
Curbside Recycling, Non-subscription		
452 Aberdeen Village	ongoing	Goal 1,2
455 Fayetteville Village	ongoing	Goal 1,2
458 Georgetown Village	ongoing	Goal 1,2
461 Hammersville Village	ongoing	Goal 1,2
460 Higginsport Village	ongoing	Goal 1,2
456 Mt. Orab Village	ongoing	Goal 1,2
453 Ripley Village	ongoing	Goal 1,2

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?
-------------------------	--	--

457 Russellville Village	ongoing	Goal 1,2
459 Sardinia Village	ongoing	Goal 1,2
454 St. Martins Village	ongoing	Goal 1,2

Drop-off Recycling

8380 School Box Recycling	ongoing	Goal 2
---------------------------	---------	--------

Drop-off Recycling FS, Rural

7863 Byrd Township, Decatur, behind the old school	ongoing	Goal 1,2
3617 Clark Township, Hamersville Village, Town Park	ongoing	Goal 1,2
9185 Franklin Township, Lake Waynoka	ongoing	Goal 1,2
9186 Green Township, Greenbush	2015, ongoing	Goal 1,2
3618 Green Township, Mt. Orab Village, 409 N. High St.	ongoing	Goal 1,2
3619 Huntington Township, Aberdeen Village, River Crossing Marathon	ongoing	Goal 1,2
4299 Jackson Township, Ash Ridge, Township Hall	ongoing	Goal 1,2
3620 Jefferson Township, Russelville Village, behind school	ongoing	Goal 1,2
9187 Lewis Township, Feesburg	2015, ongoing	Goal 1,2
3621 Lewis Township, Higginsport, Old School Building	ongoing	Goal 1,2
3622 Perry Township, Fayetteville Village, 3854 SR 50 East	ongoing	Goal 1,2
9188 Union Township, Ohio Valley Manor	ongoing	Goal 1,2
3623 Union Township, Ripley Village, 3rd St.	ongoing	Goal 1,2
3624 Washington Township, Sardinia Village, behind library at Veteran's Park	ongoing	Goal 1,2

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?
-------------------------	--	--

Drop-off Recycling, FS, Urban

462 Pleasant Township, Georgetown, Adams Brown Recycling	ongoing	Goal 1,2
3557 Pleasant Township, Georgetown, Shopko	ongoing	Goal 1,2
7864 Pleasant Township, Georgetown, Southwest Regional Medical Center	ongoing	Goal 1,2

Electronics Collection

7277 Electronics Collection year-round at ABR	ongoing	Goal 5
---	---------	--------

Grants/Funding

9181 Grant to encourage volume based garbage billing	2016, ongoing	Goal 6
9182 Grants fo encourage village yard waste collection programs	2016, ongoing	Goal 6

Household Hazardous Waste

3637 Household Hazardous Waste Collection Day	ongoing	Goal 5
---	---------	--------

Lead-Acid Battery Programs

491 LA Battery Collection at ABR	ongoing	Goal 5
7276 LA Battery Promotion	ongoing	Goal 5

Market Development Programs

3640 Glass reFactory	ongoing	Goal 7
----------------------	---------	--------

Other Programs

9189 Health Department Funding for Landfill Monitoring	ongoing	None
3639 Litter Law Enforcement Program	ongoing	None
493 Open Dump/Waste Tire/Roadside Litter Cleanups	ongoing	None
3638 Township Cleanups	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?
-------------------------	--	--

Other Residential/Commercial Recycling

494 Adams Brown Recycling MRF	ongoing	Goal 2
9184 Commercial Collection of Cardboard	ongoing	Goal 2

Residential Sector Education and Awareness

3627 "Waste Disposal Opportunities" factsheet	ongoing	Goal 3,4
9190 4-H Litter Officer Training	ongoing	Goal 3,4
3625 District Education Specialist	ongoing	Goal 3,4
9192 District Website	ongoing	Goal 3,4
9191 Green Camp	ongoing	Goal 3,4
3632 Landfill & Recycling Center Tours	ongoing	Goal 3,4
3631 Local Radio Talk Show	ongoing	Goal 3,4
3630 Newspaper Advertisements	ongoing	Goal 3,4
3626 Recycling posters/Scuptures Contests	ongoing	Goal 3,4
3628 School and Civic Club Presentations	ongoing	Goal 3,4
9193 Traveling Road Show	ongoing	Goal 3,4

Scrap Tire Programs

3636 Waste Tire Collection Events	ongoing	Goal 5
-----------------------------------	---------	--------

Yard Waste Programs

487 Adams Brown Recycling Yard Waste Site	ongoing	Goal 5
9194 Backyard Composting Education	ongoing	Goal 3,4