



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

OHIO E.P.A.

JUL 28 2015

ENTERED DIRECTOR'S JOURNAL

## CERTIFIED MAIL

July 28, 2015

The Honorable Otto Nicely  
Chairman, Policy Committee  
Defiance, Fulton, Paulding,  
Williams, Joint SWMD  
500 Court Street, Suite A  
Defiance, Ohio 43512-2171

**Re: Defiance, Fulton, Paulding, Williams SWMD  
Long Term Planning for Reg Entity  
Final Approval or Acknowledgement  
Solid Waste Management Planning  
Defiance County  
SWMD420**

**Subject: Ohio Revised Code Section 3734.55(C)(1) Defiance, Fulton, Paulding,  
Williams Joint Solid Waste Management District Solid Waste  
Management Plan Approval**

Dear Commissioner Nicely:

The Director of the Ohio Environmental Protection Agency (Director) has reviewed and approved the ratified draft solid waste management plan update (Plan) for the Defiance, Fulton, Paulding, Williams Joint 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..."

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:

The Honorable Otto Nicely  
Defiance, Fulton, Paulding, Williams SWMD Plan Approval  
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Environmental Review Appeals Commission  
77 South High Street  
17<sup>th</sup> Floor  
Columbus, Ohio 43215

If you have any questions regarding implementation of the approved Plan, please contact me at (614) 728-5356.

Sincerely,



Ernie Stall  
Environmental Specialist  
Division of Materials and Waste Management

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

cc (with enclosures):      Tim Houck, District Coordinator, Defiance, Fulton, Paulding,  
                                 Williams, Joint Solid Waste Management District  
                                 Mike Reiser, Environmental Supervisor, DMWM-NWDO

**BEFORE THE  
OHIO ENVIRONMENTAL PROTECTION AGENCY**

In the matter of:

Defiance, Fulton, Paulding, Williams	:	Director's Final
Joint Solid Waste Management District	:	Findings and Orders
500 Court Street, Suite E		
Defiance, Ohio 43512		

**I. JURISDICTION**

These Director's Final Findings and Orders (Orders) are issued to the Defiance, Fulton, Paulding, Williams Joint 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 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 District's existing solid waste management plan was approved on June 9, 2009 and covers a planning period of fifteen years. The District's draft amended solid waste management plan was due to Ohio EPA on June 9, 2014.

3. On May 22, 2014, 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 July 7, 2014, Ohio EPA mailed a written, nonbinding advisory opinion concerning the draft amended solid waste management plan received on May 22, 2014 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 June 2, 2015, 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 June 2, 2015 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.

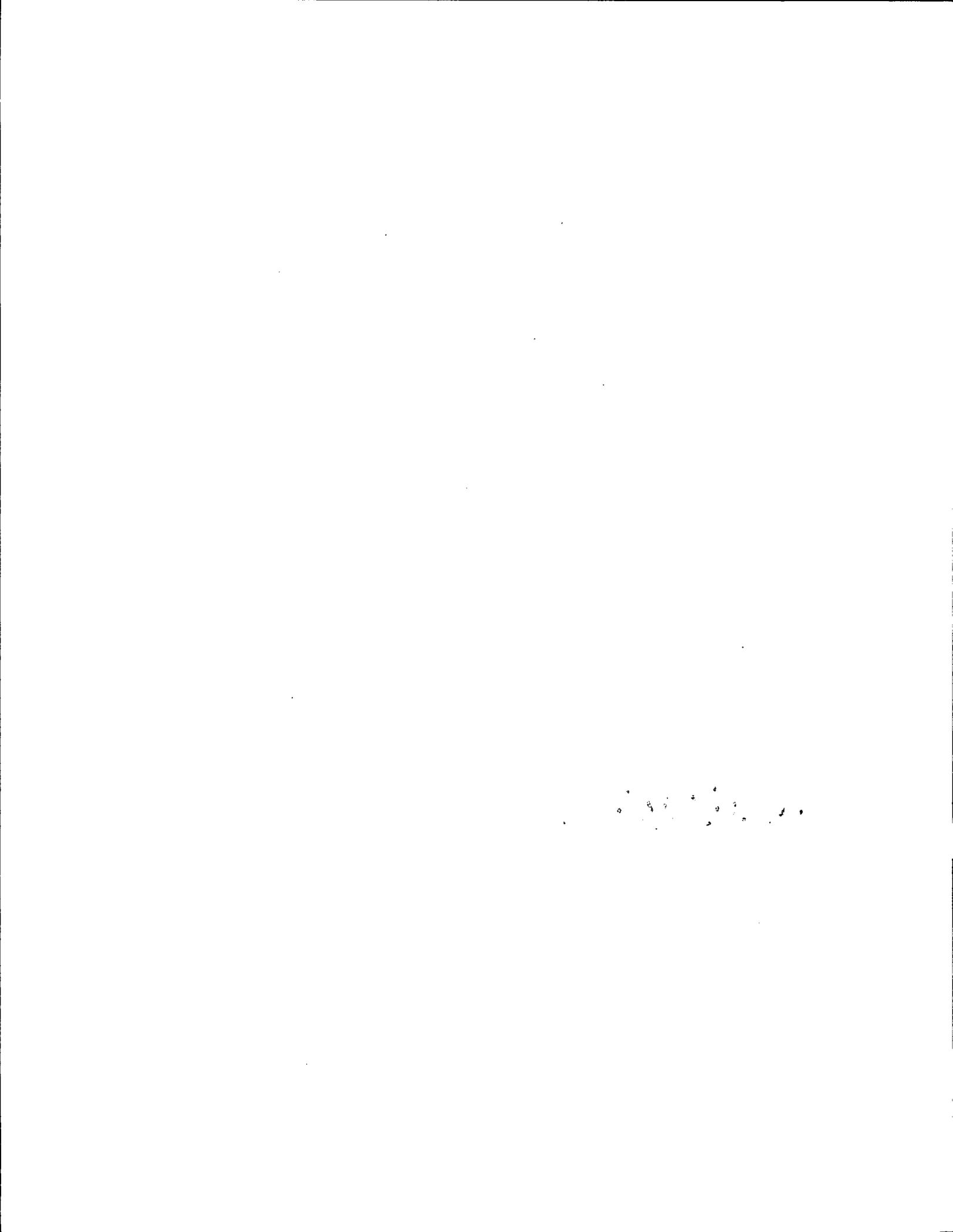
Nothing contained herein shall be construed to prevent Ohio EPA from exercising its lawful authority to require the District to perform additional activities pursuant to ORC Chapter 3734 or any other applicable laws in the future. Nothing herein shall restrict the right of the District to raise any administrative, 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:

  
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Craig W. Butler, Director  
Ohio Environmental Protection Agency



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

Defiance, Fulton, Paulding, Williams Joint Solid Waste Management District

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?
<b>Commercial/Industrial Sector TA and Education</b>		
3890 Industrial Waste & Recycling Subcommittees	existing, ongoing	Goal 3, Goal 4
1199 Annual Industrial survey	existing, ongoing	Goal 2
7378 Education / Awareness Presentations	existing, ongoing	Goal 3, Goal 4
9326 Market Development Grants	existing, ongoing	Goal 3, Goal 4
7379 Recycling Drives	existing, ongoing	Goal 2, Goal 3, Goal 4
7376 Telephone Assistance	existing, ongoing	Goal 3, Goal 4
7380 Waste Audits	existing, ongoing	Goal 3, Goal 4
7377 Web Page	existing, ongoing	Goal 3, Goal 4
<b>Curbside Recycling, Non-Subscription</b>		
1113 Defiance County, City of Defiance	1993, ongoing	Goal 1
1114 Defiance County, Sherwood	1996, ongoing	Goal 1
1116 Fulton County, Archbold	1995, ongoing	Goal 1

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?
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1115 Fulton County, Delta	1994, ongoing	Goal 1
1117 Fulton County, Swanton	1995, ongoing	Goal 1
8900 Williams County, Blakeslee	2012 - ongoing	Goal 1
1118 Williams County, Bryan	1993, ongoing	Goal 1
1119 Williams County, Edgerton	1993, ongoing	Goal 1
8901 Williams County, Edon	2012 - ongoing	Goal 1
1120 Williams County, Montpelier	1993, ongoing	Goal 1
1121 Williams County, Stryker	1993, ongoing	Goal 1
9328 Williams County, West Unity	2013, ongoing	Goal 1

***Curbside Recycling, Subscription***

4263 Defiance County, Lake Christy Meadows	2011, ongoing	Goal 1
8598 Paulding County, Antwerp	2010, ongoing	Goal 1
8599 Paulding County, Paulding	2010, ongoing	Goal 1
8600 Paulding County, Payne	2010, ongoing	Goal 1

***Drop-off Recycling, FS, Rural***

1137 Fulton County, Archbold	existing, ongoing	Goal 1
1125 Fulton County, Wauseon, Triangular Processing	1993 - ongoing	Goal 1
1130 Paulding County, Antwerp, Erie Recycling	1995, ongoing	Goal 1
1131 Paulding County, Broughton, Kohart's Recycling	1993, ongoing	Goal 1
8601 Williams County, Bryan, Northwest Recycling	1993, ongoing	GOAL 1

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?
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**Drop-off Recycling, FS, Urban**

8602 Defiance County, Defiance, Werlor Recycling	1993, ongoing	GOAL 1
1129 Fulton County, Clinton Township and Pettisville	1993, ongoing	Goal 1
1156 Fulton County, Swan Creek Township	1993, ongoing	Goal 1
1132 Williams County, Bryan	1993, ongoing	Goal 1

**Drop-off Recycling, PT, Rural**

7381 Defiance County, Ayersville	2009, ongoing	Goal 1
4853 Defiance County, Defiance Township, Power Dam	2003, Ongoing	Goal 1
1142 Defiance County, Evansport	1994, ongoing	Goal 1
1148 Defiance County, Farmer	1994, ongoing	Goal 1
1145 Defiance County, Hicksville Village Transfer Station	1994, ongoing	Goal 1
4852 Defiance County, Hicksville Village, Grace Methodist Church	2003, Ongoing	Goal 1
1144 Defiance County, Mark Township, Mark Center	1994, ongoing	Goal 1
1147 Defiance County, Ney Village	1994, ongoing	Goal 1
3877 Defiance County, Noble Township	existing, ongoing	Goal 1
1123 Defiance County, Richland Township	existing, ongoing	Goal 1
1143 Defiance County, Sherwood	1994, ongoing	Goal 1
1187 Fulton County, Delta	existing, ongoing	Goal 1
1128 Fulton County, Fayette	1993, ongoing	Goal 1
1127 Fulton County, Lyons	1993, ongoing	Goal 1

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?
1126 Fulton County, Metamora	1993, ongoing	Goal 1
1186 Fulton County, Pike Township	existing, ongoing	Goal 1
1164 Paulding County, Auglaize Township, Junction	1993, ongoing	Goal 1
1161 Paulding County, Blue Creek Township, Scott Equity	1993- ongoing	Goal 1
1166 Paulding County, Briceton	1993, ongoing	Goal 1
1169 Paulding County, Cecil	1993, ongoing	Goal 1
1159 Paulding County, Grover Hil	1993, ongoing	Goal 1
1160 Paulding County, Haviland	1993, ongoing	Goal 1
1167 Paulding County, Latty	1993, ongoing	Goal 1
1162 Paulding County, Melrose	1993, ongoing	Goal 1
1163 Paulding County, Oakwood	1993, ongoing	Goal 1
7396 Paulding County, Paulding, Paulding County Fair Grounds	existing, ongoing	Goal 1
1165 Paulding County, Payne	1993, ongoing	Goal 1
1172 Williams County, Alvordton	1993, ongoing	Goal 1
1173 Williams County, Blakeslee	1993, ongoing	Goal 1
1179 Williams County, Bridgewater Township	1993, ongoing	Goal 1
1180 Williams County, Center Township	1993, ongoing	Goal 1
1175 Williams County, Jefferson Township West	1993, ongoing	Goal 1
1176 Williams County, Madison Township, Kunkle	1993, ongoing	Goal 1
1181 Williams County, Northwest Township	1993, ongoing	Goal 1

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?
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1177 Williams County, Pioneer	1993, ongoing	Goal 1
1185 Williams County, Pulaski Township	existing, ongoing	Goal 1
1182 Williams County, Springfield Township	1993, ongoing	Goal 1
1183 Williams County, Superior Township	1993, ongoing	Goal 1
1178 Williams County, West Unity	1993, ongoing	Goal 1

**Grants/Funding**

7384 Community Grant Programs - Pursuit of funding by District to help with programming	existing , ongoing	Goal 1
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**Household Hazardous Waste**

6606 Computer and Electronics Collection - accept at HHW collection day and at various business outlets	2006- ongoing	Goal 5
3884 Household Hazardous Waste Awareness(may include press releases, promotional campaigns, community awards, brochures, HHW hotline)	existing, ongoing	Goal 5
6607 Household Hazardous Waste Day	2006, ongoing	Goal 5
1204 Household Hazardous Waste Education (may include preparation of lesson plans for use in schools, presentations, maintaining reference and media sources)	1993, ongoing	Goal 5
1212 Paint collection - accepted at HHW Collection Day and at various business outlets	2005, ongoing	Goal 5
3878 Pesticide Container Collection - accepted at various business outlets	existing , ongoing	Goal 5
3880 Rechargeable Batteries - accepted at various business outlets	existing, ongoing	Goal 5

**Litter Prevention/Clean-Up**

7386 Roadway Litter Collection Program	existing , ongoing	n/a
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**Market Development Programs**

7385 Residential/Commercial Market Development Program (pursuit of grant funding to promote market development in District)	existing , ongoing	Goal 7
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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?
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**Residential Sector Education and Awareness**

1192 K-12 programs (can include visits to schools, classroom presentations, essay contests, poster contests, outdoor classroom, post activity evaluation for teachers)	1993, ongoing	Goal 3, Goal 4
3896 Promoting recycling as a community responsibility through displays or seminars	existing, ongoing	Goal 3, Goal 4
1195 Source reduction and recycling awareness campaigns (can include production and distribution of brochures, display boards, media campaign (such as radio, newspaper, and district website))	1993, ongoing	Goal 3, Goal 4

**Scrap Tire Programs**

7383 Educate residents to available outlets	existing , ongoing	Goal 5
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**Yard Waste Programs**

1213 Backyard composting and 'Don't Bag It' education	1993, ongoing	Goal 5
7394 District-wide Yard Waste Facility Strategy	2009, ongoing	Goal 5
7393 District-wide Yard Waste Program Management Strategy	2009, ongoing	Goal 5
7395 Yard Waste Performance Monitoring	2009, ongoing	Goal 5
7389 Yard Waste Recycling Performance Evaluation	2009, ongoing	Goal 5