



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

OCT 02 2015

Brian Parsons
Chair, Lorain County SWMD
Policy Committee
2245 Peregrine Drive
Avon, Ohio 44011

**Re: Lorain County SWMD
Long Term Planning for Reg Entity
Final Approval or Acknowledgement
Solid Waste Management Planning
Lorain County
SWMD147**

Commissioner Lori Kokoski
President, Lorain County SWMD
Board of Directors
226 Middle Avenue
Elyria, Ohio 44035

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

Dear Mr. Parsons and Commissioner Kokoski:

The Director of the Ohio Environmental Protection Agency (Director) has reviewed and approved the ratified draft solid waste management plan update (Plan) for the Lorain County 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... 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 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

Ohio EPA was extremely impressed with the District's continued foresight and willingness to pursue new, innovative recycling programs. This Plan is a true testament to the involvement and dedication of the Policy Committee, Board and District staff. I always value my time visiting the District and seeing programs in action. I look forward to seeing the fruits of the improvements and new programs included in this Plan.

If you have any questions regarding implementation of the approved Plan, please contact me at (614) 728-5317 or christopher.germain@epa.ohio.gov.

Sincerely,



Christopher Germain, AICP
Planner (Environmental Specialist)
Division of Materials and Waste Management

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

cc (with enclosures): Keith Bailey, Coordinator, Holmes County SWMD
 Jarnal Singh, Environmental Supervisor, DMWM-NEDO

**BEFORE THE
OHIO ENVIRONMENTAL PROTECTION AGENCY**

In the matter of:

| | | |
|---------------------------------|---|---------------------|
| Lorain County | : | Director's Final |
| Solid Waste Management District | : | Findings and Orders |
| 226 Middle Avenue | : | |
| Elyria, Ohio 44011 | : | |

I. JURISDICTION

These Director's Final Findings and Orders (Orders) are issued to the Lorain 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, the policy committee of a solid waste management district (SWMD) with an approved solid waste management plan that contains a planning period of less than fifteen 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 third 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 April 18, 2012 and covers a planning period of less than fifteen years. The District's draft amended solid waste management plan was due to Ohio EPA on April 18, 2015.

3. On February 24, 2015 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 April 9, 2015 Ohio EPA mailed a written, nonbinding advisory opinion concerning the draft amended solid waste management plan received on February 24, 2015 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 September 16, 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 September 16, 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:



Craig W. Butler, Director
Ohio Environmental Protection Agency

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

Lorain County 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? |
|---|--|--|
| Commercial/Industrial Sector TA and Education | | |
| 6756 (LC-32) Waste Audits Initiatives: 32.1, 32.2 | existing, ongoing | Goal 3, 4 |
| 6757 (LC-33) Commercial/Industrial Recognition Program Initiatives: 33.1, 33.2 | Ongoing | N/A |
| 6758 (LC-34) Business Recycling Roundtable Initiatives: 34.1, 34.2 | 2009, ongoing | Goal 3, 4 |
| Curbside Recycling, Non-subscription | | |
| 6695 (LC-1) Amherst City | Ongoing | Goal 1, 2 |
| 6696 (LC-1) Amherst Township | Ongoing | Goal 1, 2 |
| 6697 (LC-1) Avon City | Ongoing | Goal 1, 2 |
| 6698 (LC-1) Avon Lake City | Ongoing | Goal 1, 2 |
| 8520 (LC-1) Brighton Township | Ongoing | Goal 1, 2 |
| 8521 (LC-1) Brownhelm Township | Ongoing | Goal 1, 2 |
| 8522 (LC-1) Camden Township | Ongoing | Goal 1, 2 |
| 8510 (LC-1) Carlisle Township | 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? |
|--|--|--|
| 6699 (LC-1) Columbia Township | Ongoing | Goal 1, 2 |
| 9456 (LC-1) Curbside Initiatives 1.1 (Curbside Alternatives), 1.2 (Increased Advertising), 1.3 (Message Consistency) | Ongoing | Goal 2 |
| 8523 (LC-1) Eaton Township | Ongoing | Goal 1, 2 |
| 6700 (LC-1) Elyria City | Ongoing | Goal 1, 2 |
| 6701 (LC-1) Elyria Township | Ongoing | Goal 1, 2 |
| 6703 (LC-1) Grafton Township | Ongoing | Goal 1, 2 |
| 6702 (LC-1) Grafton Village | Ongoing | Goal 1, 2 |
| 6704 (LC-1) Henrietta Township | Ongoing | Goal 1, 2 |
| 8524 (LC-1) Huntington Township | Ongoing | Goal 1, 2 |
| 8893 (LC-1) Kipton Village | Ongoing | Goal 1, 2 |
| 6706 (LC-1) LaGrange Township | Ongoing | Goal 1, 2 |
| 6705 (LC-1) LaGrange Village | Ongoing | Goal 1, 2 |
| 6707 (LC-1) Lorain City | Ongoing | Goal 1, 2 |
| 6708 (LC-1) New Russia Township | Ongoing | Goal 1, 2 |
| 6709 (LC-1) North Ridgeville City | Ongoing | Goal 1, 2 |
| 6710 (LC-1) Oberlin City | Ongoing | Goal 1, 2 |
| 8525 (LC-1) Penfield Township | Ongoing | Goal 1, 2 |
| 6711 (LC-1) Pittsfield Township | Ongoing | Goal 1, 2 |
| 8511 (LC-1) Rochester Township | Ongoing | Goal 1, 2 |
| 6712 (LC-1) Rochester 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? |
|---|--|--|
| 6714 (LC-1) Sheffield Lake City | Ongoing | Goal 1, 2 |
| 6716 (LC-1) Sheffield Township | Ongoing | Goal 1, 2 |
| 6715 (LC-1) Sheffield Village | Ongoing | Goal 1, 2 |
| 6713 (LC-1) South Amherst | Ongoing | Goal 1, 2 |
| 6717 (LC-1) Vermillion City | Ongoing | Goal 1, 2 |
| 6719 (LC-1) Wellington Township | Ongoing | Goal 1, 2 |
| 6718 (LC-1) Wellington Village | Ongoing | Goal 1, 2 |
| Drop-off Recycling | | |
| 9457 (LC-2) Drop-Off Initiative 2.1 (Improve convenience and access) | Ongoing | Goal 1, 2 |
| Drop-off Recycling, FS, Urban | | |
| 6759 (LC-2) Eaton Township | Ongoing | Goal 1, 2 |
| Drop-off Recycling, PT, Rural | | |
| 6720 (LC-2) Brighton Township | Ongoing | Goal 1, 2 |
| 8513 (LC-2) Camden Township (Kipton Village) | Ongoing | Goal 1, 2 |
| 6760 (LC-2) Huntington Township | Ongoing | Goal 1, 2 |
| 6761 (LC-2) Penfield Township | Ongoing | Goal 1, 2 |
| Drop-off Recycling, PT, Urban | | |
| 8514 (LC-2) Lorain County Collection Center (Elyria) | Ongoing | Goal 1, 2 |
| Electronics Collection | | |
| 6726 (LC-5) Electronics Collection at the Collection Center Initiative: 5.1 | Ongoing | Goal 1, 2, 4 |
| Grants/Funding | | |
| 6743 (LC-14) Recycling/Market Development Grants Initiative: 14.1, 14.2 | Ongoing | Goal 7 |

| 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? |
|--|--|--|
| 6744 (LC-15) Recycling Revolving Loan Program Initiatives: 15.1, 15.2 | Ongoing | Goal 7 |
| 6745 (LC-16) District Market Development Grants Initiatives: 16.1, 16.2 | Ongoing | Goal 7 |
| 6746 (LC-17) Community Incentive Grant Program Initiatives: 17.1, 17.2, 17.3 | Ongoing | Goal 2 |
| 6750 (LC-26) New Programs Funding | Ongoing | Goals 1,2,3,4,5, 6, 7 |
| 9469 (LC-37) Lorain County Recycling Scholarship | Ongoing | N/A |
| Health Dept Funding/Open Dumps | | |
| 9473 (LC-19) Open Dump and Scrap Tire Clean Up | Ongoing | Goal 5 |
| 8518 (LC-23) Health Department Financial Assistance Initiatives: 23.1, 23.2 | Ongoing | N/A |
| Household Hazardous Waste | | |
| 6724 (LC-4) Lorain County HHW Collection Center Initiative: 4.1 | Ongoing | Goal 1, 2, 4, 5 |
| Litter Prevention/Clean-Up | | |
| 6747 (LC-18) Volunteer Litter Collection Program (Lorain County Pride Day) Initiatives: 18.1, 18.2 | Ongoing | N/A |
| 9112 (LC-21) C.A.B. (Clean-And-Beautiful) Program Initiatives: 21.1 | Ongoing | N/A |
| Other Programs | | |
| 8516 (LC-22) Sheriffs Department Funding (Environmental Crimes Unit) Initiatives: 22.1 | Ongoing | N/A |
| 6749 (LC-24) County Assistance (Engineer) Initiatives: 24.1, 24.2 | Ongoing | N/A |
| 8515 (LC-25) Legal Assistance Initiatives: 25.1 | Ongoing | N/A |
| 6752 (LC-27) Emergency Management Plan Initiatives: 27.1, 27.2 | Ongoing | N/A |
| 6754 (LC-28) Third party financial audit | Ongoing | N/A |
| 6755 (LC-29) Host Community Agreement | Ongoing | N/A |

| 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? |
|-------------------------|--|--|
|-------------------------|--|--|

| | | |
|---|-------------|--------|
| 9471 (LC-39) Landfill Capacity Conservation Initiatives: 39.1 (2018), 39.2, 39.3, 39.4, 39.5 | Ongoing | Goal 4 |
| 9472 (LC-40) Energy from Waste Feasibility Assessment | 2016 - 2020 | Goal 2 |

Other Residential/Commercial Recycling

| | | |
|---|-------------|--------------|
| 6731 (LC-10) Fluorescent bulb and ballast recycling | Ongoing | Goal 2, 5 |
| 8517 (LC-11) Commercial Sector Paper Recycling Initiatives: 11.1, 11.2, 11.3 | Ongoing | Goal 2, 4 |
| 6733 (LC-12) Specialized Bottle/Can Collection Program Initiatives: 12.1, 12.2, 12.3 | Ongoing | Goal 2 |
| 9465 (LC-30) Consortium for Waste Services Initiative: 30.1 | Ongoing | Goal 4 |
| 9466 (LC-31) Zero Waste Planning Initiatives: 31.1, 31.2 | Ongoing | Goal 3, 4 |
| 9468 (LC-36) Bar & Restaurant Glass Recycling Initiatives: 36.1 (2016), 36.2 (2017), 36.3 (2019) | Ongoing | Goal 1, 2, 4 |
| 9470 (LC-38) Multifamily Housing Unit Recycling Grant Initiatives: 38.1, 38.2 | 2016 - 2020 | Goal 1, 2, 4 |
| 6727 (LC-6) Printer Cartridge & Cell Phone Recycling | Ongoing | Goal 1, 2, 4 |
| 6729 (LC-8) Appliance Recycling Program Initiatives: 8.1, 8.2, 8.3 | Ongoing | Goal 1, 2, 4 |
| 6730 (LC-9) Phone Book Collection Program | Ongoing | Goal 1, 2, 4 |

Residential Sector Education and Awareness

| | | |
|---|---------|-----------|
| 6736 (LC-13) Residential Recycling Education and Awareness Program (includes brochures, tours, hotline, contests, presentations, events, lending library and website) Initiatives: 13.1 (2016) | Ongoing | Goal 3, 4 |
|---|---------|-----------|

Scrap Tire Programs

| | | |
|--|---------|--------------|
| 6728 (LC-7) Scrap Tire Collection Initiatives: 7.1, 7.2 | Ongoing | Goal 1, 2, 5 |
|--|---------|--------------|

Yard Waste Programs

| | | |
|---|---------|-----------------|
| 6723 (LC-3) Yard Waste Program (Private Facilities, Education & Outreach, OSU-Ag Partnership) | Ongoing | Goal 2, 3, 4, 5 |
| 9458 (LC-3.1) Reporting Accuracy Improvements | Ongoing | None |

| 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? |
|---|--|--|
| 9459 (LC-3.2) In-District Organics Facility | Ongoing | Goal 1, 2, 5 |
| 9467 (LC-35) Yard Waste Incentive Grant Initiatives: 35.1 (2015), 35.2, 35.3 | Ongoing | Goal 2, 3, 4, 5 |