



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

**CERTIFIED MAIL**

DEC 29 2015

Mr. Richard Cultice  
Chairperson, Policy Committee  
Miami County Solid Waste  
Management District  
201 W. Main St.  
Troy, Ohio 45373

**Re: Miami County SWMD  
Long Term Planning for Reg Entity  
Final Approval or Acknowledgement  
Solid Waste Management Planning  
Miami County  
SWMD155**

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

Dear Commissioner Cultice:

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

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

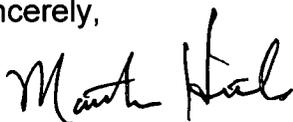
be filed with the Director within three (3) days of filing with the Commission. Ohio EPA requests that a copy of the appeal be served upon the Ohio Attorney General's Office,

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  
17<sup>th</sup> Floor  
Columbus, Ohio 43215

If you have any questions regarding implementation of the approved Plan, please contact me at (614) 728-5369.

Sincerely,



Matthew Hittle  
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):      Lauren Karch, Coordinator, Miami County Solid Waste  
                                 Management District  
                                 Tracy Buchanan, Environmental Supervisor, DMWM-SWDO

OHIO E.P.A.

DEC 20 2014  
BEFORE THE

# OHIO ENVIRONMENTAL PROTECTION AGENCY

In the matter of:

Miami County Solid Waste Management District	:	Director's Final Findings and Orders
2200 N. County Rd. 25-A	:	
Troy, OH 45373	:	

## I. JURISDICTION

These Director's Final Findings and Orders (Orders) are issued to the Miami 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 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 30, 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 30, 2014.

3. On June 26, 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 August 10, 2014, Ohio EPA mailed a written, nonbinding advisory opinion concerning the draft amended solid waste management plan received on June 26, 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 October 1, 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 October 1, 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**

**Miami 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?
<b>Buy-Backs, Haulers, and Scrap Yards</b>		
4022 Private sector recycling and scrap yards	ongoing	Goal 2
<b>Commercial/Industrial Sector Technical Assistance and Education Programs</b>		
2341 Commercial/Industrial surveying	ongoing	Goal 2,3,4
2340 Commercial/Industrial technical assistance	ongoing	Goal 3,4,5
<b>Curbside Recycling, Non-subscription</b>		
8909 Bradford Village	ongoing	Goal 1,2
8392 Covington Village PAYT	ongoing	Goal 1,2
4012 Piqua City	ongoing	Goal 1,2
4013 Pleasant Hill Village	ongoing	Goal 1,2
2304 Tipp City PAYT	ongoing	Goal 1,2
2305 Troy City	ongoing	Goal 1,2
2306 West Milton PAYT	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?
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**Curbside Recycling, Subscription**

7446 Bethel Township	ongoing	Goal 1,2
7447 Concord Township	ongoing	Goal 1,2
7448 Elizabeth Township	ongoing	Goal 1,2
7449 Lostcreek Township	ongoing	Goal 1,2
7450 Monroe Township	ongoing	Goal 1,2
7451 Newton Township	ongoing	Goal 1,2
7452 Spring Creek Township	ongoing	Goal 1,2
7453 Staunton Township	ongoing	Goal 1,2

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

7877 Bethel Township, Tipp City	ongoing	Goal 1,2
4015 Bradford Village	ongoing	Goal 1,2
4017 Monroe Township, Tipp City	ongoing	Goal 1,2
4014 Troy City, Miami County Transfer Facility drop-off	ongoing	Goal 1,2
6212 Union Township, Laura Village	ongoing	Goal 1,2

**Electronics Collection**

7454 Business electronics evaluation	ongoing	Goal 5
6214 Electronics collection events	ongoing	Goal 2,5
9494 Television recycling evaluation	2016	Goal 2

**Financial Incentives/PAYT**

4035 Miami County Transfer Facility pay-per-bag	ongoing	Goal 2
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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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4038 Technical assistance to implement pay-as-you-throw	ongoing	Goal 4
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<b>Grants/Funding</b>		
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7470 Grant for community service worker litter collections	ongoing	n/a
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9495 Grant promotion and technical assistance	ongoing	n/a
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9132 Waste reduction grants for schools	ongoing	Goal 3,4
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<b>Household Hazardous Waste</b>		
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4045 HHW education and information	ongoing	Goal 5
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2345 HHW telephone information service	ongoing	Goal 5
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2348 Multiple fee-based HHW collections	ongoing	Goal 5
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8393 Paint collection at transfer station	ongoing	Goal 5
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7455 Permanent HHW collection feasibility evaluations	ongoing	Goal 5
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<b>Market Development Programs</b>		
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4048 "Buy-recycled" promotion	ongoing	Goal 7
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4046 Maintain and make available information about recycled content products	ongoing	Goal 7
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4047 Purchase recycled content products	ongoing	Goal 7
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<b>Other Facilities</b>		
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2359 Miami County Transfer Station	ongoing	n/a
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<b>Other Programs</b>		
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9501 Annual program performance assessments	2016, ongoing	n/a
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9500 Assessment tool development	2015-2016	n/a
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9496 Initiative to include source separated recyclables collection during litter collections	2016	Goal 2
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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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7473 Miami County Debris Management Guide	ongoing	Goal 4
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<b>Other Residential/Commercial Recycling</b>		
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9499 Appliance recycling at transfer station	ongoing	Goal 2
4026 Automotive batteries and used oil recycling at transfer station	ongoing	Goal 2
9497 Bar/Restaurant Consortium	2016, ongoing	n/a
9498 Bar/Restaurant Glass Program	2016, ongoing	Goal 2
2330 Holiday tree collections at transfer station	ongoing	Goal 2
6213 Special event recycling	ongoing	Goal 2
9502 Special event vendor technical assistance	2016, ongoing	Goal 3,4
9507 Subscription curbside promotional program	2016, ongoing	Goal 3,4

<b>Residential Sector Education and Awareness</b>		
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9506 Curbside and drop-off programmatic information on District website)	2016	Goal 3,4
4041 District educational displays	ongoing	Goal 3,4
7129 District website	ongoing	Goal 3,4
7461 Drop-off recycling participation education/outreach	ongoing	Goal 3,4
9503 HHW and Scrap Tire sections on District website	2017	Goal 3,4,5
4043 Informational flyers and brochures	ongoing	Goals 3,4
9505 Lead-acid battery and used oil information on District website	2016	Goal 3,4,5
9508 Promotional campaign for school presentations	2016-2020	Goal 3,4
2343 Provide information on recycling and disposal options for electronics, lead-acid batteries, used oil and tires	ongoing	Goal 3,4,5

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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4042 Publicity and advertising	ongoing	Goal 3,4
7130 Recycling themed contests	ongoing	Goal 3,4
4044 School presentations	ongoing	Goal 3,4
9504 Yard waste programmatic information on District website	2017	Goal 3,4,5

**Scrap Tire Programs**

2344 Scrap tire collection at transfer station	ongoing	Goal 2,5
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**Yard Waste Programs**

8394 BR Mulch compost facility	ongoing	Goal 2,5
4030 Bradford Village compost facility	ongoing	Goal 2,5
7465 Bradford Village yard waste collection	ongoing	Goal 2,5
4031 Covington Village yard waste collection	ongoing	Goal 2,5
4029 Dye Mill Road compost facility	ongoing	Goal 2,5
4028 Piqua compost facility	ongoing	Goal 2,5
7474 Piqua yard waste collection	ongoing	Goal 2,5
7464 Technical assistance for new yard waste programs	ongoing	Goal 3,4,5
4032 Tipp City yard waste collection	ongoing	Goal 2,5
7466 Troy yard waste collection	ongoing	Goal 2,5
4033 West Milton yard waste collection	ongoing	Goal 2,5