



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

**CERTIFIED MAIL**

FEB 23 2016

Mr. Wally Burden  
Chairperson, Policy Committee  
Pike County Solid Waste  
Management District  
46 S. Market Street, Suite 103  
Waverly, Ohio 45690

**Re: Pike County SWMD  
Long Term Planning for Reg Entity  
Final Approval or Acknowledgement  
Solid Waste Management Planning  
Pike County  
SWMD166**

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

Dear Mr. Burden:

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

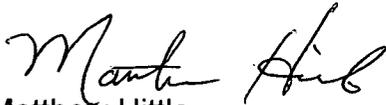
be filed with the Director within three (3) days of filing with the Commission. Ohio EPA requests that a copy of the appeal be served upon the Ohio Attorney General's Office,

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): Gary Arnett, Coordinator, Pike County Solid Waste  
Management District  
Richard Fox, Environmental Supervisor, DMWM-SEDO

FEB 23 2016

ENTERED DIRECTOR'S JOURNAL

BEFORE THE  
**OHIO ENVIRONMENTAL PROTECTION AGENCY**

In the matter of:

Pike County Solid Waste Management District	:	Director's Final Findings and Orders
116 S. Market Street, Suite 700	:	
Waverly, OH 45690		

**I. JURISDICTION**

These Director's Final Findings and Orders (Orders) are issued to the Pike 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 September 16, 2009 and covers a planning period of fifteen years. The District's draft amended solid waste management plan was due to Ohio EPA on September 16, 2014.

3. On September 12, 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 October 27, 2014, Ohio EPA mailed a written, nonbinding advisory opinion concerning the draft amended solid waste management plan received on September 12, 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 December 10, 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 December 10, 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**

**Pike 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>Commercial/Industrial Sector TA and Education</b>		
4073 Commercial/Industrial education activities and materials	ongoing	Goals 3,4
9526 Industrial Waste Assessments	2018, ongoing	Goals 3,4
9527 Partner with Health Department to administer solid waste surveys and promote District technical assistance	ongoing	Goals 3,4
<b>Drop-off Recycling, FS, Rural</b>		
4056 Beaver Township, Old Beaver Firehouse (Church St.)	ongoing	Goals 1,2
4060 Camp Creek Township, Camp Creek Township Building (14 Spunk Run Rd.)	ongoing	Goals 1,2
5610 Jackson Township, Omega (21111 S.R. 335)	ongoing	Goals 1,2
4057 Marion Township, Marion Township Youth Center (Old Stockdale School Lot)	ongoing	Goals 1,2
4055 Mifflin Township, Mifflin Township Garage (5236 S.R. 124)	ongoing	Goals 1,2
4061 Pebble Township, Pebble Township Firehouse (330 Carl Penn Rd.)	ongoing	Goals 1,2
4187 Perry Township, Perry Township Garage (2623 S.R. 41)	ongoing	Goals 1,2
4179 Scioto Township, Wakefield Firehouse (Wakefield-Mound Rd.)	ongoing	Goals 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?
4183 Seal Township, Recycling Center (274 Progress Dr.)	ongoing	Goals 1,2
6694 Seal Township, Seal Township Garage (12032 S.R. 220)	ongoing	Goals 1,2
<b>Drop-off Recycling, FS, Urban</b>		
4185 Pee Pee Township, Bristol Village Retirement Community (7th St.)	ongoing	Goals 1,2
4054 Pee Pee Township, Pike County Government Center-Kroger Lot (230 Waverly Plaza)	ongoing	Goals 1,2
<b>Electronics Collection</b>		
7503 Electronics collection events	ongoing	Goals 2,5
<b>Grants/Funding</b>		
9535 Community Incentive Grant program	2018, ongoing	Goal 2
9543 Grant program for yard waste drop-offs or compost facilities	2018, ongoing	Goal 2
9536 Recycling Incentive Study	2020	Goal 2
<b>Household Hazardous Waste</b>		
4097 HHW collection evaluation	2016-2017	Goal 5
9528 HHW Collection Program	2018, onoiing	Goal 5
4098 HHW education materials and activities	ongoing	Goal 5
<b>Lead-Acid Battery Programs</b>		
4064 Battery recycling education activities and materials	ongoing	Goal 5
4063 List of lead acid battery recycling locations	ongoing	Goal 5
<b>Litter Prevention/Clean-Up</b>		
7504 Annual spring clean-up	ongoing	n/a
7506 Funding support for community clean-ups	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?
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**Market Development Programs**

9529 Develop environmentally-preferable purchasing policy	2020	Goal 7
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**Other Programs**

9531 Cardboard dumpster evaluation	2019	Goal 4
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9541 Cooperation with Prosecutors' Office to support scrap-tire clean-ups	ongoing	n/a
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9530 Curbside recycling technical assistance program	ongoing	Goal 4
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9542 Yard waste management community outreach program	ongoing	Goal 2
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**Other Residential/Commercial Recycling**

4052 Curbside collection of appliances	ongoing	Goal 2
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9533 Identification of model Pike County school recycling program	2022	Goal 4
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9534 Presentation by model out-of-district schools	2020	Goal 4
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9532 Provide recycling pick-up at schools	ongoing	Goal 2
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**Residential Sector Education and Awareness**

4067 Annual recycling poster contest	ongoing	Goals 3,4
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4082 Brochures, flyers, and other promotional materials	ongoing	Goals 3,4
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9540 Develop resource list for teachers	2020	Goals 3,4
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9539 Develop teacher evaluation form	2017	Goals 3,4
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4068 Displays at special events	ongoing	Goals 3,4
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9537 District Website	ongoing	Goals 3,4
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4069 Public service announcements and advertisements	ongoing	Goals 3,4
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4080 Recycling education presentations at schools and civic groups	ongoing	Goals 3,4
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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?
9544 Survey schools to determine teacher needs	2016	Goals 3,4
4081 Teacher recycling education assistance	ongoing	Goals 3,4
9538 Website enhancements (2016-drop-offs, electronics; 2017-scrap tires; 2018-clean-ups, more program details and more user-friendly)	2016-2018	Goals 3,4
<b>Scrap Tire Programs</b>		
4094 Scrap tire collection event	ongoing	Goal 5
<b>Yard Waste Programs</b>		
4112 Yard waste and composting in education materials and activities	ongoing	Goals 2,4