



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

CERTIFIED MAIL

DECEMBER 5, 2016

The Honorable Michael Crabtree
Chairperson Lawrence Scioto
SWMD Policy Committee
602 Seventh St. Room 1
Portsmouth, OH 45662

**Re: Lawrence Scioto SWMD
Long Term Planning for Reg Entity
Final Approval or Acknowledgement
Solid Waste Management Planning
Lawrence County
SWMD244**

**Subject: Lawrence Scioto Solid Waste Management District Solid Management
Plan Approval**

Dear Commissioner Crabtree:

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

With the update complete, 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."

Additionally, 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:

OHIO E.P.A.

DEC -5 2016

BEFORE THE

ENTERED PUBLIC WORKS JOURNAL
OHIO ENVIRONMENTAL PROTECTION AGENCY

In the matter of: _____

Lawrence-Scioto Joint	:	Director's Final
Solid Waste Management District	:	Findings and Orders
101 North 3rd Street	:	
Ironton, Ohio 45638	:	

I. JURISDICTION

These Director's Final Findings and Orders (Orders) are issued to the Lawrence-Scioto 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 fifteen or more 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 August 23, 2010 and covers a planning period of fifteen years. The District's draft amended solid waste management plan was due to Ohio EPA on August 23, 2015.

3. On December 7, 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 January 21, 2016, Ohio EPA mailed a written, nonbinding advisory opinion concerning the draft amended solid waste management plan received on December 7, 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 23, 2016, 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 23, 2016 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

Lawrence Scioto 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		
7763 Commercial/industrial technical assistance - continue to provide upon request, promote Ohio EPA grants, and assist with grant applications	existing, ongoing	Goal 3, Goal 4
7794 Establishing quantitative goals and measuring improvements - increase the overall number of presentations given annually	2017, ongoing	Goal 3, Goal 4
7765 Providing free waste audits/assessments	2017, ongoing	Goal 3, Goal 4
Drop-off Recycling, FS, Rural		
9609 Lawrence County, Ohio University Southern (Hanging Rock)	existing, ongoing	Goal 1
7827 Lawrence County, Wayne National Forest (Pedro)	existing, ongoing	Goal 1
7807 Scioto County, 1st Stop County Store (Lucasville)	existing, ongoing	Goal 1
7808 Scioto County, Bloom Vernon baseball field (South Webster)	existing, ongoing	Goal 1
7809 Scioto County, Bloom Vernon High School (South Webster)	existing, ongoing	Goal 1
7806 Scioto County, IGA (Minford)	existing, ongoing	Goal 1
7813 Scioto County, K-Mart (New Boston)	existing, ongoing	Goal 1
7814 Scioto County, Nile Trustees Building (Nile Township)	existing, 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?
7812 Scioto County, Senior Center (Franklin Furnace)	existing, ongoing	Goal 1
7811 Scioto County, Valley Township Fire Department (Lucasville)	existing, ongoing	Goal 1
7810 Scioto County, Valley United Methodist Church (Rosemount)	existing, ongoing	Goal 1
Drop-off Recycling, FS, Urban		
7817 Lawrence County, Ironton Middle School (Ironton)	existing, ongoing	Goal 1
8915 Lawrence County, Chesapeake Elementary School (Chesapeake)	existing, ongoing	Goal 1
7816 Lawrence County, Chesapeake Municipal Court (Chesapeake)	existing, ongoing	Goal 1
7824 Lawrence County, County Fairgrounds (Proctorville)	existing, ongoing	Goal 1
7821 Lawrence County, Food Fair (Proctorville)	existing, ongoing	Goal 1
7822 Lawrence County, Food Fair (South Point)	existing, ongoing	Goal 1
7819 Lawrence County, former World Thrift Store (Ironton)	existing, ongoing	Goal 1
7823 Lawrence County, Kroger Plaza (Proctorville)	existing, ongoing	Goal 1
7818 Lawrence County, OU Campus (Ironton)	existing, ongoing	Goal 1
7826 Lawrence County, Paul Porter Park (Coal Grove)	existing, ongoing	Goal 1
7820 Lawrence County, Perry Township Volunteer Fire Department (Sheridan)	existing, ongoing	Goal 1
9607 Lawrence County, Rome Trustees Building (Proctorville)	existing, ongoing	Goal 1
7825 Lawrence County, Walmart/Sam's Club lot (South Point)	existing, ongoing	Goal 1
9610 Scioto County, Alley of Finton/Waller (Portsmouth)	existing, ongoing	Goal 1
7801 Scioto County, Barbour Auto Parts (Portsmouth)	existing, ongoing	Goal 1
7805 Scioto County, Chevron (Wheelersburg)	existing, 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?
7797 Scioto County, Earl Thomas Conley Park (West Portsmouth)	existing, ongoing	Goal 1
7800 Scioto County, Kroger (Wheelersburg)	existing, ongoing	Goal 1
7804 Scioto County, Lowes (Wheelersburg)	existing, ongoing	Goal 1
7796 Scioto County, Portsmouth Square (Portsmouth)	existing, ongoing	Goal 1
7802 Scioto County, Public Library (Portsmouth)	existing, ongoing	Goal 1
7798 Scioto County, Southern Ohio Medical Center lot (Portsmouth)	existing, ongoing	Goal 1
7799 Scioto County, Super Quik (West Portsmouth)	existing, ongoing	Goal 1
7803 Scioto County, Westside IGA (West Portsmouth)	existing, ongoing	Goal 1
Electronics Collection		
7786 Annual collection event for electronics in each county	existing, ongoing	Goal 5
9625 Expansion and promotion of e-waste recycling to institutional sector	2015, ongoing	Goal 4, Goal 5
Household Hazardous Waste		
7775 Promote reduction of HHW generation	2017 ongoing	Goal 5
7781 The District will conduct biannual collection events	existing, ongoing	Goal 5
Lead-Acid Battery Programs		
7785 Accept at HHW collection events	existing, ongoing	Goal 5
Litter Prevention/Clean-Up		
7788 Funding to cities, villages, and townships for community clean-up events	existing, ongoing	none
7787 Litter control crew	existing, ongoing	none
7793 Open dumping and litter prevention - provide funding for a full-time environmental officer	existing, ongoing	none
9639 Recycling litter trailer	existing, 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?
9641 Securing alternative sources of labor - reach out to STAR Community Justice Center	2017, ongoing	None
7769 Sponsor a Site	existing, ongoing	none
Other Programs		
9614 Drop-off location monitoring	2017, ongoing	Goal 1
9615 Drop-off program operation	2017, ongoing	Goal 1
9628 Partnership with law enforcement agencies - reach out the sheriff's office in each county to identify whether permanent collection sites can be installed	2017, ongoing	Goal 2
9636 Rewards for information	2017, ongoing	None
9633 Working with local governments to tackle causes of illegal dumping	2017, ongoing	Goal 4
Other Residential/Commercial Recycling		
9622 Christmas Tree Recycling	existing, ongoing	Goal 2, Goal 5
9626 Document shredding event - provide annual document shredding and recycling services to residents in each county	existing, ongoing	Goal 2
9617 Drop-off sites for governmental agencies	2017, ongoing	Goal 4
9627 Drug take-back collection - host an annual drug-take back event in each county	existing, ongoing	Goal 2
9613 Ironton Curbside Recycling -engage city in meetings to develop a position to present to city council to create a committee to study curbside options	2017, 2018	Goal 4
9612 Portsmouth Curbside Recycling - engage city in meetings to develop a position to present to city council to create a committee to study curbside options	2017, 2018	Goal 4
7772 School Recycling - recycling containers for schools, school-wide presentations for new recycling programs, and annual assistance for recycling programs	existing, ongoing	Goal 2, Goal 4
9611 Subscription Curbside Recycling - engage local and regional waste haulers regarding feasibility of offering subscription curbside services outside of the cities of Portsmouth and Ironton.	2017, 2018	Goal 4
9608 Subscription Curbside Recycling (engage solid waste haulers outside Portsmouth and Ironton)	2017, 2018	Goal 4

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

Residential Sector Education and Awareness

9631 Advertising District services and events	existing, ongoing	Goal 4
7777 Brochures and flyers	existing, ongoing	Goal 3, Goal 4
9638 Development and distribution of educational poster regarding the costs of legal vs. illegal scrap tire disposal	2015, ongoing	Goal 3, Goal 4, Goal 5
9616 Drop-off brochures	2017, ongoing	Goal 4
7771 Education specialist	existing, ongoing	Goal 3, Goal 4,
9630 Educational partnerships - reach out to area colleges to identify potential partnerships	2017, ongoing	Goal 4
9635 Environmental Crimes News Updates	2017, ongoing	Goal 4
9629 Establishing quantitative goals and measuring improvements	2017, ongoing	Goal 4
9620 Expand drop-off information on website	2017, 2018	Goal 4
9624 Identify and address Scioto County residents' barriers to participation in electronics collection events	2017, ongoing	Goal 4, Goal 5
9634 Illegal disposal education	2017, ongoing	Goal 4
9618 Improving signage at drop-off sites	2017, 2018	Goal 4
9621 Monthly newspaper advertisement	2017, ongoing	Goal 4
9619 Partnering with local cities, villages, and townships to educate residents about recycling opportunities	2018,2019	Goal 4
9623 Promotion of permanent e-waste drop-offs	2017, ongoing	Goal 4, Goal 5
9637 Public service announcement regarding cigarette butt litter	2017, ongoing	Goal 3, Goal 4
7764 Quarterly newsletter	existing, ongoing	Goal 3, Goal 4
9632 Sponsor-a-site promotion	2017, ongoing	Goal 4
9640 Volunteer group promotion of the recycling litter trailer to area schools and clubs	2017, ongoing	Goal 4

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

Scrap Tire Programs		
----------------------------	--	--

9642 Scrap tire abatement - use Ohio EPA's consensual scrap tire removal agreement to manage illegally dumped tires	existing, ongoing	Goal 5
7774 Scrap tire collection - provide scrap tire collection opportunities for residents at HHW collection events and community clean up events and provide up to \$1,000 annually to assist communities with clean-ups	existing, ongoing	Goal 5

Web Page and Social Media		
----------------------------------	--	--

7773 Web site	existing, ongoing	Goal 3, Goal 4
---------------	-------------------	----------------

Yard Waste Programs		
----------------------------	--	--

7783 Educational for Ironton/Portsmouth residents on increasing yard waste management education for residents	2017, ongoing	Goal4, Goal 5
7776 Yard Waste Management - keep an inventory of the registered compost facilities in the District	existing, ongoing	Goal 5