



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

**CERTIFIED MAIL**

MARCH 20, 2017

Mr. Robert England  
Policy Committee Chairperson  
Erie County SWMD  
c/o Erie County Health Department  
420 Superior Street  
Sandusky, OH 44870

**Re: Erie County SWMD  
Long Term Planning for Reg Entity  
Final Approval or Acknowledgement  
Solid Waste Management Planning  
Erie County  
SWMD122**

The Honorable Patrick Shenigo  
President of Board of County  
Commissioners  
2900 Columbus Avenue  
Sandusky, OH 44870

**Subject: Erie County Solid Waste Management District Solid Waste Management  
Plan Approval**

Dear Mr. England and Commissioner Shenigo:

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

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."

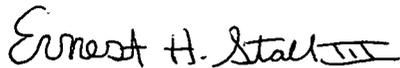
Additionally, you are hereby notified that this action of the Director is final and may be appealed to the Environmental Review Appeals Commission pursuant to ORC Section 3745.04. The appeal must be in writing and set forth the action complained of and the grounds upon which the appeal is based. The 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:

Environmental Review Appeals Commission  
77 South High Street  
17th Floor  
Columbus, Ohio 43215

If you have any questions regarding implementation of the approved Plan, please contact me at (614) 728-5356 or [ernest.stall@epa.ohio.gov](mailto:ernest.stall@epa.ohio.gov).

Sincerely,



Ernie Stall  
Environmental Specialist 3  
Division of Materials and Waste Management

EAS

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

cc/ec (with enclosures): Lisa Beursken, Coordinator, Erie County SWMD  
Mike Reiser, Supervisor, Ohio EPA, DMWM-NWDO



**BEFORE THE  
OHIO ENVIRONMENTAL PROTECTION AGENCY**

In the matter of:

Erie County  
Solid Waste Management District  
554 River Road  
P.O. Box 469  
Huron, Ohio 44839

:  
:

Director's Final  
Findings and Orders

Ohio EPA MAR 20 '17  
Entered Directors Journal

**I. JURISDICTION**

These Director's Final Findings and Orders (Orders) are issued to the Erie 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 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 September 28, 2010 and covers a planning period of at least 15 years. The

District's draft amended solid waste management plan was due to Ohio EPA on September 28, 2015.

3. On September 28, 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 November 12, 2015, Ohio EPA mailed a written, nonbinding advisory opinion concerning the draft amended solid waste management plan received on September 28, 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 January 13, 2017, 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 January 13, 2017 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

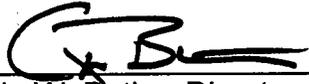
Nothing contained herein shall be construed to prevent Ohio EPA from seeking legal or equitable relief to enforce the terms of these Orders or from taking other administrative, legal, or equitable action as deemed appropriate and necessary, including seeking penalties against the District for noncompliance 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**

**Erie 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>		
9696 Community Outreach Specialist (liaison between the District and businesses)	ongoing	Goal 2 Goal 3 Goal 4
7840 Distribute recycling information for industries through existing channels	ongoing	Goal 4
7851 Guide to recycling for businesses	ongoing	Goal 3 Goal 4
9699 Joint workshop for businesses with surrounding SWMDs	unspecified	Goal 3 Goal 4
<b>Curbside Recycling, Non-subscription</b>		
7841 Curbside Recycling Initiative - New NS curbside services in: Bay View Village, Berlin Twp, Berlin Village, Castalia Village, Sandusky, Florence Twp, Groton Twp, Margaretta Twp, Milan Twp, Milan Village, Oxford Twp, Perkins Twp, and Vermilion Twp	2016, ongoing	Goal 1 Goal 2
1217 Huron City	ongoing	Goal 1 Goal 2
9700 Huron Township	ongoing	Goal 1 Goal 2
<b>Drop-off Recycling, FS, Urban</b>		
3768 Margaretta Township	ongoing	Goal 1 Goal 2
1236 Sandusky City Services Complex	ongoing	Goal 1 Goal 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?
4564 Sandusky East	ongoing	Goal 1, Goal 2
9690 Sandusky West	ongoing	Goal 1 Goal 2
1229 Vermilion Township	ongoing	Goal 1 Goal 2
<b>Drop-off Recycling, PT, Rural</b>		
1233 Erie County Landfill	ongoing	Goal 1 Goal 2
9689 Kellys Island	ongoing	Goal 1 Goal 2
<b>Financial Incentives/PAYT</b>		
9701 Create an incentive program that fosters competition for haulers servicing Erie County	unspecified	Goal 6
9704 Set up at least one incentive based program specific to each target audience	Unspecified	Goal 6
<b>Grants/Funding</b>		
9694 Community Grants Program - revamp to include all five target audiences with more detailed grant guidelines and increased dollar amounts	ongoing	Goal 6
9703 In partnership with Erie County Regional Planning establish a revolving loan fund for businesses to create recycling program	Unspecified	Goal 6
<b>Household Hazardous Waste</b>		
7837 Hold 5 once-a-month HHW collection events from June to October	ongoing	Goal 5
1254 List of legal, used oil recycling opportunities	ongoing	Goal 2 Goal 5
<b>Household Hazardous Waste Programs</b>		
1255 Household battery collection by District	ongoing	Goal 5
<b>Industrial Recycling and Reduction</b>		
4574 Utilize annual survey of industries to distribute source reduction information	ongoing	Goal 3
<b>Lead-Acid Battery Programs</b>		
7836 List of LAB recycling opportunities available in Erie County	ongoing	Goal 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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**Litter Prevention/Clean-Up**

9691 G.R.E.E.N. Bean Litter Clean-up Trailer	ongoing	Not identified
9693 Sheriff Litter Trailer	2016	Not Identified

**Market Development Programs**

4572 Program to encourage government and school purchases of recycled content materials	ongoing	Goal 7
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**Other Facilities (1)**

4563 Erie County Landfill	ongoing	None
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**Other Programs**

7830 Bin Loan Program	ongoing	Goal 2 Goal 4
9697 Comprehensive Resource Guide	ongoing	Goal 3 Goal 4
7838 Economic Incentive - promote programs that incorporate economic incentives such as PAYT programs, Recycle Bank, etc. []	ongoing	Goal 6
7832 Establish an education and awareness plan to address the five target audiences	ongoing	Goal 3 Goal 4
9698 Infrastructure Inventory	ongoing	Goal 4
7831 School Recycling Program - program for the 8 school districts to recycle at their locations	2008, ongoing	Goal 2 Goal 4
9688 Secure grant funding to extend the bin loan program	2017	Goal 2 Goal 4
9705 Use Survey Monkey for all surveys	Unspecified	Not identified

**Residential Sector Education and Awareness**

9695 Environmental Education Intern	ongoing	Goal 3 Goal 4
9702 Establish a report card that showcases recycling rates by community	Unspecified	Goal 3 Goal 4
9692 G.R.E.E.N. Bean Pod Sustainability Trailer	ongoing	Goal 3 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?
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**Scrap Tire Programs**

1252 List of legal scrap tire recycling & disposal opportunities in Erie County	ongoing	Goal 5
7833 Scrap tire recycling program -residents pay a user fee at the drop-off at the Erie County Sanitary Landfill for scrap tires (page V-17 of Plan Update)	ongoing	Goal 5

**Web Page and Social Media**

4569 Web site	ongoing	Goal 3 Goal 4
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**Yard Waste Programs**

1258 Barnes Nursery regional compost facility	ongoing	Goal 2 Goal 5
1259 Land application of leaves by various political subdivisions	ongoing	Goal 2 Goal 5