



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

**CERTIFIED MAIL**

DECEMBER 19, 2017

The Honorable David Crisenbery  
Policy Committee Chairperson  
Warren County SWMD  
PO Box 136  
Harveysburg, OH 45202

**Re: Warren County SWMD  
Long Term Planning for Reg Entity  
Final Approval or Acknowledgement  
Solid Waste Management Planning  
Warren County  
SWMD183**

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

Dear Mr. Crisenbery:

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

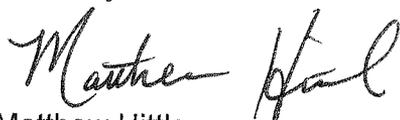
Additionally, you are hereby notified that this action of the Director is final and may be appealed to the Environmental Review Appeals Commission pursuant to ORC Section 3745.04. The appeal must be in writing and set forth the action complained of and the grounds upon which the appeal is based. The 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) 728-5369 or [matthew.hittle@epa.ohio.gov](mailto:matthew.hittle@epa.ohio.gov).

Sincerely,



Matthew Hittle  
Environmental Specialist  
Division of Materials and Waste Management

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

cc/ec (with enclosures):      Susanne Mason, Director, Warren County SWMD  
                                 Tracy Buchanan, Supervisor, Ohio EPA, DMWM-SWDO

**BEFORE THE  
OHIO ENVIRONMENTAL PROTECTION AGENCY**

In the matter of:

Warren County	:	Director's Final
Solid Waste Management District	:	Findings and Orders
406 Justice Drive		
Lebanon, Ohio 45036		

Ohio EPA DEC 19 '17  
Entered Directors Journal

**I. JURISDICTION**

These Director's Final Findings and Orders (Orders) are issued to the Warren 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 2, 2011 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 2, 2016.

3. On September 6, 2016, 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 21, 2016, Ohio EPA mailed a written, nonbinding advisory opinion concerning the draft amended solid waste management plan received on September 6, 2016 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 22, 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 October 22, 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**

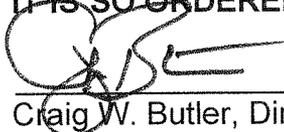
Nothing contained herein shall be construed to prevent Ohio EPA from seeking legal or equitable relief to enforce the terms of these Orders or from taking other administrative, legal, or equitable action as deemed appropriate and necessary, including seeking penalties against the District for noncompliance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

**Warren 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>		
9877 Away From Home	2018, ongoing	Goal 2,3,4
9878 Business and Industrial Recognition Program	2018, ongoing	Goal 3,4
<b>Commercial/Industrial Sector Technical Assistance and Education Programs</b>		
3313 Solid Waste and Recycling Assessments	ongoing	Goal 1,3,4,5
3314 Waste Exchange - The Interchange	ongoing	Goal 1,2,3,4
<b>Curbside Recycling, Non-subscription</b>		
5019 Butlerville Village	ongoing	Goals 1,2
3291 Carlisle City	ongoing	Goals 1,2
5026 Clearcreek Township	ongoing	Goals 1,2
5018 Corwin Village	ongoing	Goal 1,2
5030 Deerfield Township	ongoing	Goal 1,2
3288 Franklin City	ongoing	Goal 1,2
5025 Franklin 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?
5031 Hamilton Township	ongoing	Goal 1,2
5021 Harlan Township	ongoing	Goal 1,2
3298 Harveysburg Village	ongoing	Goal 1,2
3289 Lebanon City	ongoing	Goal 1,2
5033 Maineville Village	ongoing	Goal 1,2
3290 Mason City	ongoing	Goal 1,2
5022 Massie Township	ongoing	Goal 1,2
5016 Morrow Village	ongoing	Goal 1,2
5020 Pleasant Plain Village	ongoing	Goal 1,2
5029 Salem Township	ongoing	Goal 1,2
5017 South Lebanon Village	ongoing	Goal 1,2
3287 Springboro City	ongoing	Goal 1,2
5027 Turtlecreek Township	ongoing	Goal 1,2
5028 Union Township	ongoing	Goal 1,2
5023 Washington Township	ongoing	Goal 1,2
5024 Wayne Township	ongoing	Goal 1,2
3292 Waynesville Village	ongoing	Goal 1,2
<b>Drop-off Recycling Programs/Locations</b>		
3305 Private paper collection and recycling drop-offs	ongoing	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?
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**Drop-off Recycling, FS, Urban**

8315 Deerfield Township - 8395 Snider Rd.	ongoing	Goal 1,2
8312 Lebanon City - 406 Justice Dr.	ongoing	Goal 1,2
8313 Lebanon City - 50 S. Broadway	ongoing	Goal 1,2
8314 Mason - 2095 Kings Mill Rd.	ongoing	Goal 1,2

**Electronics Collection**

8316 Annual Electronics Collection Event	ongoing	Goal 2,5
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**Grants/Funding**

9872 Recycling Mini-Grants	ongoing	n/a
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**Household Hazardous Waste**

4933 HHW Information	ongoing	Goal 4,5
9870 HHW Management Research/Evaluation	2019-2021	Goal 5
9706 Paint Recycling Drop-off Program	ongoing	Goal 4,5

**Lead-Acid Battery Programs**

3320 Lead-Acid Battery Information	ongoing	Goal 4,5
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**Other Programs**

8318 Contingency 1 - Drop-off Recycling	contingency	Goal 1,2
8319 Contingency 2 - Franchise Service Areas	contingency	Goal 1,2
9880 Contract Assistance	2018,ongoing	n/a
8317 Curbside Recycling Monitoring Plan	ongoing	Goal 1,2
3328 District Recycling Surveying Program	ongoing	Goal 1,2,3,4,5
9873 Food Waste Management Information	2018, 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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9881 Outreach to School Administrators	ongoing	Goal 2
8320 Performance Obligation Agreements	ongoing	Goal 1,2
3321 Roadside Litter Collection Program	ongoing	n/a

### ***Residential Sector Education and Awareness***

9874 Adult Education	2018, ongoing	Goal 3,4
9879 Community Report	2018, ongoing	Goal 2,3,4
9876 Curbside Campaign	2018, ongoing	Goal 3,4
3312 District Website	ongoing	Goal 1,2,3,4
9871 Education Provider	ongoing	Goal 1,2,3,4
3306 Educational Presentations/Displays	ongoing	Goal 1,2,3,4
9875 Get Caught Recycling	ongoing	Goal 4

### ***Scrap Tire Programs***

5015 Scrap Tire Disposal Information	ongoing	Goal 4,5
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### ***Yard Waste Programs***

4305 Yard Waste Collection from Municipalities/Private Haulers	ongoing	Goal 2
3318 Yard Waste Information	ongoing	Goal 2,3,4