

Dayton Legal Blank, Inc.

ORDINANCE NO. 2015-12

Form No. 30043

AN ORDINANCE APPROVING THE SOLID WASTE MANAGEMENT PLAN
 Ordinance No. 2015-12 Passed 20
AND DECLARING AN EMERGENCY

WHEREAS, the Clinton county Solid Waste Management District, by its Solid Waste Policy Committee, has adopted a Solid Waste Management Plan for the District; and

WHEREAS, pursuant to Ohio Revised Code Section 3734.55(B), the Board of County Commissioners and the legislative authority of each municipal corporation or township under the jurisdiction of the District, must approve or disapprove the Plan by ordinance or resolution; and

WHEREAS, the Village of Sabina, Clinton County, Ohio have reviewed the Plan and considered it at a duly called meeting; and

WHEREAS, the Plan furthers the public interest; and

NOW THEREFORE BE IT ORDAINED, that the Solid Waste Management Plan of the Clinton County Solid Management District, adopted by the Solid Waste Policy Committee on May 20, 2015, is hereby approved;

AND BE IT FURTHER ORDAINED, that a copy of this Ordinance of Approval shall promptly be delivered, or caused to be delivered, to the Solid Waste Management Policy Committee of the Clinton County Solid Waste Management District.

THIS ORDINANCE IS HEREBY DECLARED TO BE AN EMERGENCY, necessary for the immediate preservation of the public health, safety, and welfare for the reason that solid waste management is a primary concern and the activities of the Clinton County Solid Waste Management District need to proceed without delay.

Motion made by Ms. Sloan, seconded by Mr. Storer
 Upon call of the roll the following vote resulted: All in favor

*mailed 4/30/15
original*

Passed this 25 day of June, 2015.

Dean Hawk
 Mayor

Dean Sloan
 President of Council

II. Executive Summary

House Bill 592, which became effective on June 28, 1988 required the Director of Ohio EPA, with the advice of the Solid Waste Management Advisory Council (SWAC) to establish a state solid waste management plan. The legislation also requires boards of county commissioners of all of Ohio's counties to form solid waste management districts, either individually or in conjunction with other boards of county commissioners. All solid waste districts are required to develop and implement their own district solid waste plans to comply with goals established in the state solid waste management plan. The Clinton County Solid Waste Management District (District) was formed as a single county district in 1993 after splitting with Warren County.

The primary responsibility of solid waste management districts is to prepare, ratify, and implement a solid waste plan that ensures residents have access to adequate solid waste disposal capacity and complies with the goals established in the state solid waste management plan. A solid waste management plan should contain descriptions of the type and quantity of solid waste generated in the district, the current landfill disposal and recycling activities, and descriptions of waste reduction and recycling programs and strategies to be implemented in the future. A solid waste plan may also establish funding or fees which will be used to implement the plan. District solid waste management plans must cover a planning period of at least ten years and must be updated every three or five years depending upon the number of years in the planning period.

The District's first solid waste management plan was written and approved by the Director of Ohio EPA on December 27, 1993. This plan covered a ten year planning period beginning in 1994 and ending in 2003. The District failed to obtain approval for an update to this approved solid waste management plan by the deadline prescribed by the Ohio Revised Code. Thus Ohio EPA, through the use of a consultant, prepared the 2005 Plan Update for the District. This first Plan Update was prepared using 2003 as the reference year and was approved by the Director on December 28, 2005.

The 2005 Plan increased the recycling infrastructure throughout the District by adding seven full-time drop-off sites to the six existing full-time drop-off locations. The plan also added strategies to add a website, outreach to commercial and industry sectors, and to explore economic incentives. The 2005 Plan also outlined additional strategies which required the District to employ a full-time solid waste coordinator, submit quarterly fee reports, and submit quarterly budget and implementation reports.

The update following the 2005 Plan, shows the District maintaining the infrastructure, increasing recycling volumes, deviating from hosting special collection events, and appropriating 21% of the budget on economic incentives. The status of this 2009 Plan and the description of the 2016 Plan are described here in this Executive Summary.

A. Status of Implementation under the 2009 Plan

The District's 2009 Plan was approved by the Director of Ohio EPA on August 27, 2009. The Approved Plan was prepared to demonstrate compliance with the eight goals of the *2001 State Solid Waste Management Plan (2001 State Plan)*. The *2001 State Plan* established the following goals:

descriptions of the recycling and waste reduction programs that will be offered by the District throughout the planning period.

- Section VI - includes the District's anticipated strategy for managing the waste that is projected to be generated throughout the planning period.
- Section VII – presents the demonstration of the District's compliance with Goal #1 of the *2009 State Plan*. Section VII also presents data to demonstrate the progress the District will make towards meeting Goal #2 of the *2009 State Plan*.
- Section VIII - includes a presentation of the financial resources of the District as well as the projected expenditures that the District will make during the planning period.
- Section IX – This Section addresses the District's authority to adopt rules.

This Executive Summary provides an overview of each section of the Plan Update.

C. Narrative Description of Chapters III - IX

Section III - Inventories

Section III identifies the existing waste reduction and waste services operating in the District. Waste source reduced, recycled, composted, incinerated, and disposed are measured to establish a basis for planning period projections. In addition all existing solid waste disposal, recycling and transfer facilities used by the District must be identified. Existing waste reduction and waste services must be established for a reference year. The reference year is defined as the calendar year represented by data collection efforts for new surveys conducted for the amended plan.

In 2012, the reference year, the solid waste management system was operated almost exclusively by private companies for hauling, processing, landfilling, composting and recycling. General waste and recyclables are hauled by four private solid waste haulers and one municipal solid waste hauler. Solid Waste generated by the District and landfilled was predominantly disposed in Ohio but in landfills located out-of-district. Reference year waste disposal distribution shows approximately 45.1% disposed in-district, 54% disposed out-of-district, and 0.8% disposed out-of-state. The District relied on the residents and private facilities for yard waste management. One municipal facility operated within the District.

The recycling infrastructure continued with curbside service in the largest municipality and nineteen drop-off locations throughout the County. (Note: Six of the drop-off locations are located at various locations at Wilmington College.) In 2012, the non-subscription curbside program collected 111 tons of recyclable materials and the drop-off program collected 483 tons of recyclable materials. The District implemented a Fiber Collection Program consisting of private sector companies servicing the District and Abitibi Consolidated, Inc. paper collection. Approximately 501 tons of materials were collected through the Fiber Collection Program. Household hazardous waste, lead-acid batteries, used oil, appliances and electronics are directed to private sector businesses. A special collection was held for scrap tires. Approximately 27 tons of scrap tires were collected. Other recycling occurred through yard waste services and private

- Commercial and industry businesses have programs but are lacking in participating in survey requests.
- City of Wilmington's curbside program is operating better and showing better results for participation and volumes. It would be interesting to see further analysis of the curbside program, outreach expanded, and incentive programs evaluated.
- Some drop-off locations have low participation and high contamination issues.
- Few schools and businesses actively pursued P.E.A.R. grants and Go GREEN grants.

Total residential and commercial waste reduction achieved from curbside, drop-offs, fiber collection, special collection, composting, and private recycling was 13,537 tons. Industrial waste reduction is reported as 104,025 tons.

Section V – Planning Period Projections and Strategies

Section V contains projections for each year of the planning period for population, waste generation, recycling, and waste disposal. Data presented and reconciled in Section IV for the reference year is the base of these projections. Districts must establish a planning period which extends a minimum of ten years into the future, and provide strategies to meet waste management needs for the set planning period. The planning period begins the calendar year following the draft plan due date for the District. The first year of this Plan Update's planning period is 2016 to extend fifteen years to 2030. Ohio Revised Code Section 3734.56 require solid waste management plan updates to be prepared and submitted every 3 or 5 years, depending upon whether the plan covers a planning period of less than 15 years or 15 or more years. This Plan Update extends 15 or more years, thus will be updated every 5 years.

While recycling plus disposal is the preferred method for determining residential/commercial waste generation, the calculated per capita generation rate of 4.97 pounds/person/day (as calculated in Section IV) is low for District averages. Historical per capita generation rates average 5.95 pounds/person/day from 2005 to 2012. Comparing the components (recycling and disposal) of waste generation, the District has determined the decrease in generation is a result of decreased population, decreased industry, and a slower economy.

For planning period projections the District reviewed historical data trends for waste disposal and recycling as well as Ohio EPA and Ohio Department of Job and Family Services recommendations. For the residential/commercial sector, the most representative projections came from historical data trends. Based on historical trends the County is expecting to see a 0.39% annual increase in the waste generation increasing residential/commercial waste generation of 39,014 tons in 2016 to 41,282 tons in 2030. For the industrial sector the most representative projections came from Ohio Department of Job and Family Services and historical trends. Historical trends show increases in generation while Job and Family Services predict manufacturing to decline through year 2018. Relying on these two sources no increases are projected for industrial generation. Industrial sector generation is projected to stay at 107,262 tons in 2016 through 2030. Overall waste generation is predicted to increase slightly throughout the planning period from 149,452 tons in 2016 to 151,903 tons in 2030.

Transfer:	16,523 tons
Composting:	9,957 tons
Landfilling:	478,112 tons

Of the waste generated in 2012, the District recycled 78.7%, composted 0.7%, transferred 0.4%, and disposed 20.9%. Throughout the planning period the District is expecting to manage generated waste through these same management methods at roughly the same percentages. Using the estimates for waste disposal the District performed a regional capacity analysis to demonstrate adequate disposal capacity.

During the 2012 reference year, ten landfills managed 31,064 tons of solid waste generated by District residents, businesses, and industries. The sole landfill within the District managed 14,025 tons in 2012 or 45.1% of waste landfilled. The seven landfills located outside the district but within Ohio, managed over 15,706 tons or 50.6% of landfilled waste. The District also sent waste to out-of-state landfills that accepted 260 tons or 0.8% of waste landfilled. Ohio landfills accepting District waste had over 230 million cubic yards of remaining permitted capacity as of January 1, 2011. Four landfills, Pike Sanitation Landfill, Rumpke Waste Brown County, Athens Hocking C&DD/Reclamation Center Landfill, and American Landfill each have a projected life of greater than 40 years at the end of 2011. All in-state landfills used in the 2011 reference year are within a reasonable transport distance to the District.

Over the fifteen-year planning period, the District will need disposal capacity for an estimated 720,000 cubic yards.

Seven landfills have enough remaining permitted capacity to manage the District's waste for the entire fifteen-year planning period. This Plan Update relies on a combination of in-state landfills to demonstrate access to adequate landfill capacity during the fifteen years for the District.

Section VII – Measurement of Progress Toward Waste Reduction Goals

The *2009 State Plan* establishes nine goals districts are required to achieve in their solid waste management plans. These goals are important to further recycling and waste minimization within the District. However, Goals #1 and Goals #2 are considered primary goals when evaluating a District's plan for compliance with the *State Plan*. Section VII of the *Format* determines the progress towards Goal #1 and Goal #2.

The *2009 State Plan* mandates the Clinton County Solid Waste Management District comply with either Goal #1 or Goal #2 in order to obtain an approved solid waste management plan. Solid waste management districts are encouraged to attempt to demonstrate compliance with both goals of the *2009 State Plan* but are required to demonstrate compliance with only one goal or the other. This Plan Update demonstrates compliance with Goal #1 Access.

Goal #1 of the 2009 State Plan: - Access to Alternative Waste Management Opportunities

Section VIII presents the revenues and expenses associated with the District's financing of plan implementation. The District has historically relied on disposal fees, generation fees, grants and miscellaneous income for revenue.

The District receives revenues from tiered solid waste disposal fees which are levied in accordance with ORC Section 3734.57(B). The District has an existing tiered disposal fee structured as follows: \$1.00 collected on each ton of solid waste that is generated within the District and disposed at a solid waste landfill located within the District, \$2.00 collected on each ton of solid waste generated outside the District but within Ohio and disposed at a solid waste landfill located within the District, and \$1.00 collected on each ton of solid waste generated outside of Ohio and disposed at a solid waste landfill located within the District.

In accordance with ORC 3734.573, a solid waste management policy committee may levy fees on the generation of solid wastes within the district. In 1994, the District adopted, ratified, and implemented a \$5.00 per ton generation fee. The District needed to increase the generation fee in 2010 to \$6.50. The District is not planning for a fee increase for this planning period but is anticipating needing an increase in year 2020. This plan update does not intend to ratify the generation fee increase. As the next plan update is prepared, the District will reevaluate its financial position and make decisions about fee increases at that time.

The District is not projecting large yearly carry over balances. While expenditures are projected to outpace revenues throughout the planning period, the District's fund balance will help to offset dwindling revenues, thus resulting in an overall fund balance of \$28,783 at the end of the planning period.

Revenue demonstrations provided in Section VIII show waste disposal revenues from the Wilmington Sanitary Landfill ceasing in 2017 because Wilmington Sanitary Landfill is expected to exhaust its permitted airspace in year 2017. Without a permit, a demonstration showing disposal revenues beyond 2017 would depict revenues based on uncertainties or unknown conditions. Even though Section VIII demonstrates a lack of revenues from the Wilmington Sanitary Landfill, the District does not anticipate this to occur. A contingency table is prepared to show the proposed revenue stream assuming additional air space permits are received at the Wilmington Sanitary Landfill.

Section IX – District Rules

This Plan Update does not prepare or adopt any rules.

Table ES-1 General Information

District Name: Clinton County Solid Waste Management District		
District ID #:	Reference Year: 2012	Planning Period: 2016-2030
Plan Status: Draft		Reason for Plan Submittal: Five-year plan update

Table ES-4 Existing Disposal Facilities

Name	County	District tons	2012 Total tons	Years Left
Wilmington Sanitary Landfill	Clinton	14,025	16,758	6.2
Rumpke Waste Inc, - Brown County	Brown	8,103	510,769	61.6
Rumpke Sanitary Landfill	Hamilton	6,659	1,773,194	11.3
Stony Hollow Landfill	Montgomery	809	239,863	4.7
Franklin County Sanitary Landfill	Franklin	5.5	1,028,336	25
Pike Sanitation Landfill	Pike	15	173,597	57
Athens Hocking C&DD/Reclamation Center	Athens	56	196,591	61.9
American Landfill	Stark	57	982,595	70
Indiana Landfills	Indiana	181	NA	NA
Kentucky Landfills	Kentucky	79	NA	NA