



OHIO SOLID WASTE MANAGEMENT REVIEW



Auditor of State Local Government Officials' Conference

March 5, 2014

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Solid Waste Management Review: The Basics

Ohio EPA has Undertaken a Comprehensive Review of the Laws Governing the Way that We Manage Solid Waste in Ohio

(Important Technical Term. . .
Solid Waste is Garbage, not Sewage)

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Solid Waste Management Review: The Basics

History:

- H.B. 592 Passed in 1988
- H.B. 592 is Ohio's Comprehensive Solid Waste Management Law
- When H.B. 592 was passed, Ohio faced many challenges related to solid waste management
 - Limited Landfill Capacity
 - Environmental Problems at landfills
 - Out-of-State Waste coming into Ohio
 - Lack of Recycling programs

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Solid Waste Management Review: The Basics

H.B. 592 Established Requirements, Authorities and Policies Related to:

- Landfills
- Recycling
- Fees
- Planning
- Roles of Ohio EPA, Health Departments, County Governments, and Local Governments

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Solid Waste Management Review: The Basics

Where Did the Review Initiative Come From?

H.B. 592 is 25 years old

It's been on Ohio EPA's long-term "to-do" list for several years

Rumblings of "piecemeal" legislation dealing w/ a variety of issues

Timing seemed right to take a holistic look, rather than react to piecemeal initiatives

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Solid Waste Management Review: The Basics

Key Process Principles

Looking comprehensively at the entire system to make it more efficient and effective

Open, transparent process based on consensus-building

Not afraid to think big

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Maintaining Fundamental Principles of 592

Ohio EPA maintains our commitment to original HB 592 principles:

- Waste management must be protective of human health and the environment
- Continue to reduce reliance on landfills for solid waste management

However, we entered the review process with very few pre-conceived notions about how to maintain that commitment

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Solid Waste Management Review: Process

4 Phase Process (Approximately 24 months)

- Phase I: *Information Gathering*
- Phase II: *Discussion and Consensus Building*
- Phase III: *Formal Proposal*
- Phase IV: *Legislative Initiative*

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Solid Waste Management Review: Process

Phase I: Information Gathering

March 2012 – June 2012

Informal sit down meetings

- Ohio EPA invitation
- All the obvious interested parties
- Information gathering focus
- Open invitation to others and individual members

Solid Waste Management Districts

- County Commissioners
- Health Departments
- Environmental Groups
- Recycling Organizations
- Ohio Municipal League
- Ohio Township Association
- Ohio Chamber
- Ohio Manufacturers
- Solid Waste Consultants
- NSWMA / SWANA
- Individual Businesses
- Individual Citizens
- Planning Organizations



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Solid Waste Management Review: Vision 2035

Final Version (Released March 4, 2013):

“Ohio continues to reduce waste generation. Waste materials that are generated are recognized as important resources that often have significant economic value. These materials are managed in ways that maximize that value and prevent the negative impacts associated with improper management. Ohio will manage waste materials via a competitive and innovative portfolio of best management practices that include recycling, composting, and other beneficial approaches, with disposal as a last resort. These practices are developed and operated by public, private and non-profit stakeholders at all stages of the product life cycle. Landfilling is practiced at an ever decreasing rate, while Ohio strives toward zero landfilling.”

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Solid Waste Management Review: Issue List



Nearly 100 issues – all raised from Phase I

As of Fall 2012, Ohio EPA was willing to commit resources to research and discuss all of these issues

Fewer than 20 issues were removed between Phase II kick-off meetings and the release of this list

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Solid Waste Management Review: Process

Phase 2: Discussion and Consensus Building

July 2012 – End of 2013

Significant resources being directed to research and benchmarking

Various methods of stakeholder engagement depending on issue

Facilitated discussions on certain issues

- Contracting with professional facilitators to ensure neutrality
- Ohio EPA is also encouraging discussion among IPs

Ultimately seeking consensus-based solutions

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Interested Party Input Meetings

- July 16, 2012 – Phase II Kickoff Meeting (Elyria)
- July 23 – Phase II Kickoff Meeting (Kettering)
- July 30 – Phase II Kickoff Meeting (Columbus/WebEx)
- August 2 – SWMD/Ohio EPA Workgroup (Highbanks MetroPark)
- August 16 – SWAC Update (Ohio EPA)
- October 29 – Association of Ohio Recyclers (AOR) Presentation (Cleveland Zoo)
- November 1 – SWMD Ohio EPA Workgroup (Highbanks MetroPark)
- November 2 – Organics Recycling Association of Ohio (ORAO) Presentation (OSU)
- November 16 – SWAC Update (Ohio EPA)
- November 29 – Scrap Tire Stakeholder Meeting: Enforcement Focus (State Library, Columbus)
- November 30 – Scrap Tire Stakeholder Meeting: Industry Focus (State Library, Columbus)
- December 10 – Facility Oversight pre-meeting Webinars (WebEx)
- December 12 – Ohio Attorney Generals' Office (Ohio EPA)
- December 17 – Facility Oversight Meeting: Industry focus (ODNR)
- December 17 – Facility Oversight Meeting: Ohio EPA/Health Department focus (ODNR)
- December 20 – SWMD Authorities and Flow Control: SWMD focus (Ohio EPA)
- January 10, 2013 – SWMD Structure/Consolidation (CCAO)
- January 11 – E-Waste Stakeholders (Ohio EPA)
- January 14 – SWMD Authorities and Flow Control: Industry focus (Ohio EPA)
- January 17, 24, 31, February 14 – SWMD Consolidation/Structure Subcommittee (Ohio EPA)
- January 31 – Ohio Township Association (OTA) Presentation/Discussion (Columbus)
- February 5 – Ohio Municipal League (OML) Local Issues Meeting (Ohio EPA)
- February 7 – Ohio EPA/SWMD Workgroup (Highbanks MetroPark)

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Interested Party Input Meetings

- February 8 – SWMD/Industry Authorities and Flow Control (Riffe Tower)
- February 12 – Organics Stakeholder Discussion (Columbus Zoo)
- March 20 – Regional Planning Call with Rural Action (Ohio EPA)
- March 21 – SWAC Update (Riffe Tower)
- April 4 – OSWDO Meeting re: planning revisions (CCAO)
- April 9 – ADHC Southeast Region meeting (Nelsonville)
- April 10 – ODH Facility Oversight Conference Call (Ohio EPA)
- April 11 – Flow Control Meeting (ODNR)
- April 18 – ADHC Northeast Region Meeting (Kent)
- April 23 – Flow Control Meeting (Riffe Tower)
- April 24 – ODHA Conference Presentation (Worthington)
- April 26 – ADHC SW and NW Region meetings (Bowling Green / Xenia)
- April 30 – Flow Control Meeting (Ohio EPA)
- May 2 – OSWDO Meeting (CCAO)
- May 14 – C&DD Meeting (Riffe)
- June 4 – C&DD Meeting (Riffe)
- June 6 – Solid Waste Fees meeting, SWMDs (Ohio EPA)
- June 13 – Solid Waste Fees meeting, Industry (Ohio EPA)
- June 20 – SWAC Update (Highbanks)
- June 24 – C&DD Meeting (Riffe)
- July 8 – SWAC subcommittee call (Ohio EPA)
- July 11 – Facility Oversight Data Review WebEx (Ohio EPA)
- July 15 – C&DD Meeting (Riffe)

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Interested Party Input Meetings

- July 25 – Solid Waste Fees meeting, SWMDs (Riffe)
- July 30 – Planning Update Call with SWMDs (Ohio EPA)
- August 1 – SWMD/Ohio EPA Workgroup (State Library)
- August 13 – C&DD Meeting (Riffe)
- August 15 – SWAC Update (Ohio EPA)
- August 28 – C&DD Meeting (Riffe)

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Solid Waste Management Review: Important Issues

External Discussions:

- Solid Waste Management District Planning Issues
- Solid Waste District Shared Services/Consolidation
- Facility Oversight
- Solid Waste Fees
- C&DD
- SWAC/RLPAC

Internal research/technical issues:

- Post-Closure Care
- Abandoned "Orphan" Landfills
- Landfill Redevelopment (27-13 program)
- Conditionally Exempt Small Quantity Generators (CESQGs)
- Beneficial Use
- Others

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Examples of the Issues that have been Discussed

- SWMD Consolidation/Shared Services
- Local Involvement and Responsibility
- Solid Waste Fees
- Construction and Demolition Debris

All of these issues are still "works in progress"

- None of the following examples are final proposals – they are being presented to give you a feel for the types of issues under discussion

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Shared Services/Consolidation

Sub-Committee met in Jan/Feb 2013



Three main parts:

1. Implement a regional planning pilot project
2. Coordinated efforts to promote shared services
3. Population threshold of 100,000 with a transition period and waiver process

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Local Involvement and Responsibility

Engaged with Ohio Municipal League (OML) and Ohio Township Association (OTA) on how to improve local communities' involvement in recycling

Draft proposal under development that focuses on 3 ideas:

- Elimination of the Largest Municipality Veto
- Establishment of formal partnerships with OML/OTA
- Aspirational goals for expanding curbside access



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Update: Solid Waste Fees

Two goals in mind as we entered these discussions:

- Solid waste fee structure is complicated and needs simplification
- SWMDs need sufficient resources to carry out their functions

Based on the first two meetings and Phase I comments, Ohio EPA provided quantitative analysis on 3 possible scenarios:

- Flat statewide disposal fee administered by Ohio EPA
- Flat generation fee directly to SWMDs
- Flat disposal fee combined with locally set generation fee direct to SWMDs

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Update: C&DD

Numerous meetings held during 2013

Attended by SW Industry, C&DD Industry, Recyclers, SWMD, LHDs, Ohio EPA, Contractors and others

Ohio EPA developing framework for proposal

Main focus: Recycling and Transfer Stations




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What's Next?

Ohio EPA has been working to craft a strategy for moving forward with proposed legislative changes.

Our goal is to develop one or more legislative proposals to be pursued during 2014 and/or 2015



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Ohio Solid Waste Management Review



House Bill 552 (HB 552), passed by the Ohio legislature in 1988, created the structure for the modern-day management of solid waste (garbage) in Ohio. The law did a variety of things, including requiring Ohio EPA to adopt regulations to ensure that landfills are safe and protective of human health and the environment, creating local solid waste management districts that are responsible for developing and implementing local solid waste management plans, and creating the State Solid Waste Advisory Council (SSWAC), which is responsible for developing State recycling goals (among other things).

In short, the way that solid waste is regulated and managed in Ohio today is in large part a reflection of what was included in HB 552. Since HB 552 was passed in 1988, there have been many changes within the solid waste industry, and changes with technology and solid waste management and disposal practices. As a result, Ohio EPA has initiated a comprehensive review of HB 552. The review will consider Ohio EPA's experience implementing the law, along with the experience gained from all interested parties including the solid waste industry, health departments, solid waste management districts, citizens and businesses. This information and experience will be the basis for proposing the changes necessary to improve the overall solid waste management system in Ohio.

UPCOMING MEETINGS

- **Solid Waste Fees**
July 25, 10:30 a.m. - 12:30 p.m.
Invitations extended through ODWDO
- **Solid Waste Management District Workshop**
August 1, 10 a.m. - 1 p.m.

MORE INFORMATION

If you have questions or would like more information, please email Christopher.Dorman or call (614) 726-5317.

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There are numerous ways you can get involved and provide input:

- **Schedule a meeting with representatives of Ohio EPA.** If you are interested in meeting with Ohio EPA, please send a meeting request to Christopher.Dorman or call (614) 726-5317.
- **Submit comments to Ohio EPA.** Ohio EPA will accept public comments throughout the entire review process. Once a formal proposal is finalized, there will be a final, formal comment period. At any time during the process, interested parties are encouraged to submit their ideas and comments to Christopher.Dorman (doc and .pdf attachments are acceptable). Hard copy comments can be submitted to:

Ohio EPA, DMW
ATTN: Christopher.Dorman

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Questions

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Process**

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