

**I. Introduction**

**A. Plan Approval Date, Counties in District, and Planning Period Length**

**1. Under current approved plan:**

Date of Ohio EPA approval or order to implement: January 27, 2011~~December 22, 2006~~

Counties within district: Stark-Tuscarawas-Wayne

Years in planning period: 10

**2. Plan to be implemented with approval of this document:**

Counties within District: Stark-Tuscarawas-Wayne

Years in planning period: 4+10

Year 1 of the planning period: 20102015

**B. Reason for Plan Submittal**

Mandatory three-year plan update to an Ohio EPA written plan as required in ORC 3734.56 (C).

**C. Process to Determine Material Change in Circumstances and Amend the Plan**

In accordance with ORC 3734.56(D), the Stark-Tuscarawas-Wayne Joint Solid Waste Management District Board of Directors will use five criteria to determine if and when a material change in circumstance has occurred in the District Plan Update.~~Plan Update must be revised if the Board of Directors (Board) has determined that “circumstances materially changed from those addressed in the approved initial or amended plan of the district.”~~ A material change in circumstances shall be defined as a change that adversely affects the ability of the Board to:

- Assure waste disposal capacity during the planning period;
- Maintain compliance with applicable waste reduction or access goals; or
- Adequately finance implementation of the Plan.

The Ohio EPA’s Plan Format requires that the *Plan Update* must include a description of the process the Board will use to determine when a material change in circumstances has occurred, and, as a result, requires an amended Plan.

The Board shall make the determination of whether a material change in circumstances has occurred according to the following guidelines:

1. Assurance of Waste Disposal Capacity

(a) Reduction in Available Capacity

If the Board determines that the extended or permanent closure of a facility utilized by the District or a combination of the closure of those landfills accepting solid waste generated in the District, impairs the capacity assurance requirement of section 3734.53(A) of the Revised Code or the Plan Format, then a material change in circumstances may have occurred. A material change in circumstances has not occurred, however, if the District is able to secure arrangements to manage the waste formerly received at the closed facility by any other properly licensed and permitted solid waste management facility.

The Board will convene within 30 days of the closure of a facility utilized by the District to determine whether alternate capacity is available to the District or whether a material change in circumstances has occurred.

(b) Increase in Waste Generation

Future capacity needs of the District as outlined in the *Plan Update* are based on waste generation estimates. A significant increase in solid waste generation within the District may affect capacity requirements and result in diminished capacity for handling or disposing of solid waste. A material change in circumstances may have occurred if waste generation increases and the increase have a significant adverse impact on capacity for handling or disposing of solid waste generated within the District at facilities designated and identified in the *Plan Update*. A material change in circumstances has not occurred, however, if District can secure arrangements to manage the increased waste volume at any other properly licensed and permitted solid waste management facility.

District staff, during the term of the *Plan Update*, will review waste generation figures and report to the Policy Committee and the Board quarterly any increase in solid waste generation within the District that warrants the Board's consideration of whether there is adequate capacity available to handle or dispose of the increased solid waste volume. The Board shall review the report and the availability of capacity for District solid waste and determine whether sufficient capacity is available to the District or a material change in circumstances has occurred.

2. Compliance with Applicable Waste Reduction or Access Goals

(a) Delay in Program Implementation or Discontinuance of Essential Waste Reduction or Recycling Activities

Pursuant to the Ohio Revised code, the Ohio Administrative Code, and the State Plan, the District has established specific goals regarding waste reduction and recycling within the District. The District will propose several strategies that will greatly reduce materials currently going to area landfills and also increase local participation rates for existing recycling programs. These strategies will be a major portion of the District's compliance plan for Access and Participation Standards. The Board of Directors and Policy Committee will review the implementation of these strategies annually to ensure that the implementation will include an assessment of any changes in these strategies for access and recycling rates. The Executive Director of the District will prepare an annual report for presentation to the Policy Committee and the Board by July 1 each year of the planning period. The annual report will identify any delays in program implementation, changes to waste reduction and recycling strategies or plan implementation for the preceding year that warrant consideration by the Board to determine whether any delay, change or impact on recycling is material. Should a significant delay in program implementation or the discontinuance of essential programs result in the inability of the District to achieve either goal, the Board shall, based on recommendations from the Executive Director, make a determination as to whether a material change in circumstances has occurred. A material change in circumstances has not occurred, however, where the Board is able to implement new programs or modify existing programs to meet the goals approved in this Plan Update to meet State of Ohio requirements.

### 3. Financing of Plan Implementation

#### (a) Decrease in Waste Generation

District obtains revenues to finance implementation of the *Plan Update* from a disposal fee on solid waste received by in-district landfills and transfer stations as authorized by section 3734.573 of the Ohio Revised Code. A significant reduction in the receipt of waste within or from outside of the District could result in a significant decrease in revenue and adversely affect the ability of the Board to finance implementation of the *Plan Update*. The Treasurer for the District monitors revenues and reports changes in financial condition to the Board at routine Board meetings. The Board will, based on recommendations from the Executive Director and Treasurer, review and revise the budgets and funding priorities to successfully implement the *Plan Update*. A material change in circumstances may have occurred where a significant reduction in revenue adversely affects the Board's ability to finance plan implementation. No material change in circumstances has occurred, however, where the Board is able to maintain critical programs at current funding levels through re-allocation of District funds, or through an increase in District fees, or rates and charges as permitted by the Ohio Revised Code and the Plan.

4. Change in the Solid Waste Management Facilities Identified or designated by the Plan

Solid waste management facilities are identified in the *Plan Update* to ensure waste disposal options for the District. The District currently is not designating any facilities but reserves the right to do so in this *Plan Update*. If the facilities identified should close, or for some reason they are not able to handle the District waste disposal while no other substitutes are provided, the District would determine a material change. A material change in circumstances has not occurred, however, if the District is able to secure arrangements to manage the waste formerly received at the closed facility by any other properly licensed and permitted solid waste management facility.

The District has chosen to not identify specific trigger points in the above monitoring process. ~~The District believes that arbitrary percentages, dollar amounts, tonnages or other trigger points identified during the plan preparation time period (2009-2010) may not always be applicable during a potential material change evaluation in the future.~~ The District feels very comfortable that the above listed procedures will adequately serve the District in determining if a material change has occurred based on the information and data at the time of the evaluation.

5. Procedures Where Material Change in Circumstances has Occurred

If at any time the Board determines that a material change in circumstances has occurred and a revision to the *Plan Update* is necessary, the Board shall direct the Policy Committee to prepare a Draft Amended Plan. The Board shall proceed to adopt and obtain approval of the Amended Plan in accordance with divisions (A) to (C) of section 3734.55 of the Revised Code.

The District shall constantly monitor the circumstances of whether there is a material change in this *Plan Update*. If the District determines a material change in circumstances has occurred the Board shall notify Ohio EPA within 60 days.

**D. District Formation and Certification Statement**

All public notices in local newspapers publicizing hearings and comments on the *Plan Update* are included in Appendix B. A certification statement signed by members of the Board asserting that the contents of the *Plan Update* are true and accurate is included in Appendix C. The certification statement was signed by a majority of the Board members for both the draft amended *Plan Update* and the ratified draft amended *Plan Update*. Appendix C also includes resolutions by the Board adopting the *Plan Update* prior to ratification and certifying that the *Plan Update* has been properly ratified. A list of all political jurisdictions in the District which voted on the *Plan Update* ratification, their populations, and the percentage of the population represented by the political jurisdictions which ratified the *Plan Update* is included in Appendix C.

**E. Policy Committee Members**

The Policy Committee for the District is comprised of seven members from each member county. These members will include:

- The president of the board of county commissioners or his or her designee; \
- The mayor, or his or her designee, or a representative chosen to act on his/her behalf, of the largest city in each county;
- A member representing the townships within each county chosen by a majority of the board of township trustees within the county;
- The health commissioner from each county, or a representative appointed by the health commissioner to act on behalf of each county’s health department;
- One industrial representative from each county to act on behalf of the industries located within that county. This position is appointed by the four permanent members of the policy committee for a period of two years; and
- Two public members from each member county representing the general interests of citizens and who have no conflict of interest through affiliation with a waste management company or with any entity that is a significant generator of solid wastes. These positions are appointed by the four permanent members of the policy committee for a period of two years.

The following committee members are listed in accordance with the political jurisdictions and constituencies they represent: We would have to update the members

Stark County		
Policy Committee Member	Representing	Term
Janet Weir Creighton (Chairperson)	County Commissioner	Unlimited
Larry Emerick	City of Canton Representative	Unlimited
Doug Baum	Township Representative	Unlimited
Kirk Norris	Health Department Representative	Unlimited
Dominic Nardis	Industrial Representative	1-1-2012 to 12-31-2013
Carl Rose	Public Representative, No Conflict	1-1-2012 to 12-31-2013
VACANT	Public Representative	1-1-2012 to 12-31-2013

Tuscarawas County		
Policy Committee Member	Representing	Term
Jim Seldenright	County Commissioner	Unlimited
Mayor Mike Taylor	City of New Philadelphia Representative	Unlimited
Belle Everett (Vice Chairperson)	Township Representative	Unlimited
Michael Chek	Health Department Representative	Unlimited
Robert Gale	Industrial Representative	1-1-2012 to 12-31-2013
VACANT	Public Representative, No Conflict	1-1-2012 to 12-31-2013
David Bennett	Public Representative	1-1-2012 to 12-31-2013

Wayne County		
Policy Committee Member	Representing	Term
Scott Wiggam	County Commissioner	Unlimited
Mark Nussbaum	City of Wooster Representative	Unlimited
Karl Stroh	Township Representative	Unlimited
Dr. Greg Halley	Health Department Representative	Unlimited
Steve Steiner	Industrial Representative	1-1-2012 to 12-31-2013
Bob Holland	Public Representative, No Conflict	1-1-2012 to 12-31-2013
David Elwell	Public Representative	1-1-2012 to 12-31-2013

**F. Board of Directors**

The following board members are listed according to the counties they represent: [We would have to update the members](#)

Commissioner	County
Thomas Bernabei	Stark
Janet Weir Creighton	Stark
Dr. Peter Ferguson (Chairperson)	Stark
Chris Abbuhl	Tuscarawas
Kerry Metzger (Vice Chairperson)	Tuscarawas
Jim Seldenright	Tuscarawas
Jim Carmichael	Wayne
Ann Obrecht	Wayne
Scott Wiggam	Wayne

**G. District Address and Phone Number**

Stark-Tuscarawas-Wayne Joint Solid Waste Management District  
9918 Wilkshire Boulevard, NE  
Bolivar, Ohio 44612

Contact: Mr. David Held  
Executive Director

Phone: (800) 678-9839  
Fax: (330) 874-2449  
Email: [david@timetorecycle.org](mailto:david@timetorecycle.org)

**H. Technical Advisory Council and Other Subcommittees**

The District did not establish a Technical Advisory Committee during the preparation of the *Plan Update*.

**I. Policy Committee Review of Plan Update**

The Policy Committee shall annually review implementation of the *Plan Update* under section 3734.55 of the Ohio Revised Code and report its findings and recommendations regarding implementation of the plan to the board of directors of the District.