

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
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 and Wayne
Years in planning period:	10
Year 1 of the planning period:	2015

B. Reason for Plan Submittal

Mandatory three-year plan update as required in Ohio Revised Code (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 (District) Board of Directors (Board) will use five criteria to determine if and when a material change in circumstance has occurred in the District *Plan Update*. 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 Environmental Protection Agency’s (EPA) 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 the ORC 3734.53(A) 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 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. 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 the ORC 3734.573. 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 Finance Director 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 Finance Director, 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 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 the ORC 3734.55 (A) and (C).

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 Policy Committee 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 Policy Committee members for both the draft amended *Plan Update* and the ratified draft amended *Plan Update*. Appendix C also includes resolutions by the Policy Committee 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 (Stark, Tuscarawas and Wayne Counties). These members include:

1. The president of the Board of County Commissioners or his or her designee;
2. The chief executive officer of the municipal corporation having the largest population within the boundaries of the County or his or her designee;
3. A member representing the townships within each county chosen by a majority of the board of township trustees within the county;
4. The health commissioner of the health District having the largest territorial jurisdiction within each county or his or her designee;
5. One member representing industrial, commercial or institutional generators of solid waste within the District to be appointed by the four permanent members of the Policy Committee for a period of two years;

6. One member representing the general interests of citizens who shall have no conflict of interest through affiliation with a waste management company or with any entity that is a significant generator of solid wastes to be appointed by the four permanent members of the Policy Committee for a period of two years; and
7. One member representing the public, to be 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:

Stark County		
Policy Committee Member	Representing	Term
Janet Weir Creighton	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
Mark Cozy	Public Representative	1-1-2012 to 12-31-2013

Tuscarawas County		
Policy Committee Member	Representing	Term
Belle Everett	County Commissioner	Unlimited
Mayor Mike Taylor	City of New Philadelphia Representative	Unlimited
Matt Ritterbeck	Township Representative	Unlimited
Michael Chek	Health Department Representative	Unlimited
Robert Gale	Industrial Representative	1-1-2012 to 12-31-2013
Lee Finley	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
Robert 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:

Commissioner	County
Thomas Bernabei	Stark
Janet Weir Creighton	Stark
Richard Regula	Stark
Chris Abbuhl	Tuscarawas
Belle Everett	Tuscarawas
Kerry Metzger	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

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 the ORC 3734.55 and report its findings and recommendations regarding implementation of the plan to the board of directors of the District.