

APPENDIX I

Rules

**ERIE COUNTY SOLID WASTE MANAGEMENT DISTRICT
DISTRICT RULES
Effective 2016**

RULE 1: DEFINITIONS

Board shall mean the Board of County Commissioners of Erie County, Ohio acting in its capacity as the Board of Directors of the District.

Collection Services shall mean Solid Waste and Source Separated Recyclable Material collection services.

District shall mean the Erie County Solid Waste Management District.

Generator shall mean each Person which generates Solid Waste within the District.

Landfill shall mean the Erie County Sanitary Landfill.

Legitimate Recycling Facility shall mean an engineered facility or site where recycling of material other than scrap tires is the primary objective of the facility, in accordance with the definition set forth in Ohio Administrative Code 3745-27-01(L)(2).

Person shall mean each individual, public or private corporation, partnership, and each other form of entity, including a political subdivision or agency thereof.

Plan shall mean the Solid Waste Management Plan or amended Solid Waste Management Plan of the District

Service Provider shall mean any Person which is party to a contract with the District to provide Collection Services to Generators in the District, and is identified by the District as currently eligible to provide Collections Services.

Solid Waste shall mean such unwanted residual solid or semisolid material as results from industrial, commercial, agricultural, and community operations, excluding earth or material from construction, mining, or demolition operations, or other waste materials of the type that normally would be included in demolition debris, nontoxic fly ash and bottom ash, including at least ash that results from the combustion of coal and ash that results from the combustion of coal in combination with scrap tires where scrap tires comprise not more than fifty per cent of heat input in any month, spent nontoxic foundry sand, nontoxic, nonhazardous, unwanted fired and unfired, glazed and unglazed, structural products made from shale and clay products, and slag and other substances that are not harmful or inimical to public health, and includes, but is not limited to, garbage, scrap tires, combustible and noncombustible material, street dirt, and debris. Solid Waste does not include any material that is an infectious waste or a hazardous waste.

Source Separated Recyclable Materials shall mean a subset of Solid Waste materials that have been separated from other Solid Waste materials at the location where the materials are generated, for the purpose of recycling such materials at a Legitimate Recycling Facility.

**RULE 2: REQUIREMENT FOR DISPOSAL AT THE ERIE COUNTY
SANITARY LANDFILL OF SOLID WASTE GENERATED IN THE
ERIE COUNTY SOLID WASTE MANAGEMENT DISTRICT.**

No Person shall deliver, or cause the delivery of, any Solid Waste generated within the District to any solid waste facility other than the Landfill, the only solid waste facility designated by the Plan, or a solid waste facility outside the boundaries of the State of Ohio, unless a waiver from this rule has been granted by the Board, in accordance with Section 343.01(I)(2) of the Ohio Revised Code. For the purpose of this rule, Solid Waste shall exclude: asbestos, yard waste, hazardous waste, Source Separated Recyclable Material, or any other Solid Waste which the Erie County Sanitary Engineer has determined is unacceptable at the Landfill.

**RULE 3: REQUIREMENT FOR SUBMISSION OF PLANS FOR SOLID
WASTE DISPOSAL, TRANSFER, RECYCLING OR RESOURCE
RECOVERY FACILITIES TO THE BOARD OF COUNTY
COMMISSIONERS.**

Any Person proposing to construct, enlarge, or modify any in-District solid waste transfer, disposal, recycling or resource recovery facility shall submit general plans and specifications for the proposed construction, enlargement or modification to the Board for a determination by that Board of whether those plans and specifications comply with the Plan.

No Person shall construct, enlarge or modify any solid waste transfer, disposal, recycling or resource recovery facility until general plans and specifications for the proposed construction, enlargement or modification have been approved by the Board as complying with the Plan.

This rule shall not apply to any facility described in Division (D) of Section 3734.53 of the Ohio Revised Code, which includes captive facilities and facilities exclusively for the disposal of wastes from the combustion of coal.

General plans and specifications shall be submitted to the attention of the Erie County Solid Waste District Coordinator, 554 River Road, P.O. Box 469, Huron, Ohio 44839. All general plans and specifications shall be clearly marked as complying with the requirements of the Rule Number 3 and Section 343.01(G)(2) of the Revised Code.

RULE 4: ESTABLISHMENT AND OPERATION OF DISTRICT SOLID WASTE COLLECTION SYSTEM.

Except as herein provided, each Generator shall utilize the services of a Service Provider to collect the Solid Waste that it generates. A Generator shall not be required to utilize the services of a Service Provider during any time period that the Generator is able to demonstrate its ability to deliver such Solid Waste to the Landfill for proper disposal and does so in a satisfactory manner.

No Person which is not a Service Provider shall provide Collection Services to Generators.

RULE 5: WAIVER FROM DESIGNATION

Any Person may request, in writing, that the District grant a waiver permitting the delivery of Solid Waste to a solid waste facility other than a solid waste facility designated in the Plan. All written waiver requests shall include such information and explanation as are required to demonstrate (1) that the requested waiver, if granted, is not inconsistent with the projections contained in the Plan and will not adversely affect the implementation and financing of the Plan as provided in the implementation schedule contained in the Plan; or (2) that the Solid Waste, which is the subject of the waiver request is exempt from delivery to a designated solid waste facility pursuant to applicable law or rules of the District. All such waiver requests shall be submitted to the Erie County Solid Waste Management District, attention: Solid Waste Coordinator, 554 River Road, P.O. Box 469, Huron, Ohio 44839. All such waiver requests shall be clearly marked as complying with the requirements of this Rule Number 5 and Section 343.01(I)(2) of the Ohio Revised Code.