

APPENDIX S: SITING STRATEGY

Process to Consider Solid Waste Proposals that Require Construction or Modification of In-District Solid Waste Facilities.

I. PURPOSE AND OBJECTIVE

SWACO's Siting Strategy for Solid Waste Facilities ensures that proposals to construct a new Solid Waste Facility within the District or modify an existing Solid Waste Facility within the District are in compliance with the Solid Waste Management Plan ("Plan") and District Rules.

II. RULE

SWACO's District Rule 7-2017 requires that the SWACO Board of Trustees review and approve all proposals to construct any new Solid Waste Facility within the District or modify any existing in-District Solid Waste Facility. A "Solid Waste Facility" as defined in District Rules Section 1-3, means any facility that collects, stores, transports, transfers, processes, treats and/or disposes of Solid Waste or conducts resource recovery activities. District Rule 7-2017 provides that:

No Person shall construct, enlarge, improve, Modify, or replace any Solid Waste Facility until General Plans and Specifications of the proposed improvement or Modification have been submitted to and approved by the Board as complying with the SWACO Solid Waste Management Plan. General Plans and Specifications for the proposed Facility shall be submitted to the Board, Attention: Executive Director, 4239 London-Groveport Road, Grove City, Ohio 43123. All such General Plans and Specifications shall be clearly marked as complying with the requirements of District Rule 7-2017 and Section 343.01(G)(2) of the Revised Code. No Applicant shall Modify, construct or operate a Solid Waste Facility unless the Board has determined that the proposed construction or Modification of a Solid Waste Facility assures the Maximum Feasible Utilization of any Designated Solid Waste Facility located within the District and said proposal complies with the District Solid Waste Management Plan. Rule 7-2017 does not apply to a Solid Waste Facility owned, operated, or to be owned or operated, by SWACO.

III. PROCEDURE IMPLEMENTING SITING STRATEGY

The Board shall not approve the construction or modification to a Solid Waste Facility in its District where the construction and/or operation will:

- (1) Have a significant adverse impact upon the Board's ability to finance and implement the Plan;
- (2) Interfere with SWACO's obligation to provide for the Maximum Feasible Utilization of existing in-District Solid Waste Facilities;
- (3) Materially and adversely affect the quality of life of residents within 300 feet of the proposed Facility;
or
- (4) Materially and adversely affect the local community, including commercial businesses within 500 feet of the proposed Facility, and the adequacy of existing infrastructure to serve the proposed Facility.

The Board has implemented a three-step procedure for reviewing a request to construct or modify an In-District Solid Waste Facility.

STEP 1: Submittal of General Plans and Specifications

Any Person proposing to construct a new Solid Waste Facility or modify an existing in-District Solid Waste Facility (“Applicant”) shall:

- a) Provide General Plans and Specifications of the proposed facility to the Board. Such General Plans and Specifications shall include, but may not be limited to, the following documents and information:
 - i. A description of the type of processing (treatment, storage, disposal, transfer, recycling, processing, resource recovery, and legitimate recycling facility as defined by the Ohio Revised Code and Ohio Administrative Code), including the equipment and technology;
 - ii. A description of the types of materials accepted by the Solid Waste Facility;
 - iii. Anticipated processing capacity for the Solid Waste Facility, identified markets for sale of recycled or composted material, and the anticipated amount of residual waste generated;
 - iv. A detailed list of all regulatory approvals required for operation, including status of all permit/license applications;
 - v. A site plan for the proposed Solid Waste Facility showing the height and size of the Facility, all proposed means of vehicle ingress/egress to Facility, traffic plan and abutting public/arterial streets or County/Township roads;
 - vi. Anticipated Source of Recyclable Materials to be received at the proposed Solid Waste Facility, including identification of the types of commercial, industrial, agricultural, residential and institutional generators that are expected to use the Solid Waste Facility;
 - vii. A description of the management and control procedures to minimize the potential for debris, odors and air quality at the Solid Waste Facility;
 - viii. Notification of the proposed construction or Modification to neighboring and surrounding property owners within 1,000 feet of the Solid Waste Facility;
 - ix. Applicant’s written statement to the Board explaining why, in the Applicant’s opinion, the proposal complies with the Plan; and
 - x. Any other information necessary for the Board to evaluate whether the proposed Solid Waste Facility complies with each of the criteria listed below.
- b) Adequately demonstrate to the Board that the construction or Modification and subsequent operation of the proposed Solid Waste Facility will:
 - i. Be consistent with the goals, objectives, projections and strategies contained in the Plan;
 - ii. Not adversely affect financing for the implementation of the Plan;
 - iii. Not adversely affect the Board’s obligation to provide for the Maximum Feasible Utilization of existing in-District Solid Waste Facilities;

- iv. Be adequately served by essential public facilities and services;
 - v. Not create excessive additional requirements at public cost for public facilities or services; and
 - vi. Be in the best interest of the District, its residents and businesses.
- c) The Applicant shall submit any additional information that the Board requests in order to establish, to the reasonable satisfaction of the Board, that the construction or Modification and subsequent operation of the proposed Solid Waste Facility or proposed Modification of an existing in-District Solid Waste Facility will comply with the Plan.

STEP 2: Board Review

The Board shall conduct a review of the information submitted for the proposed Solid Waste Facility to determine whether the Applicant has adequately demonstrated that the proposed Solid Waste Facility will be constructed or modified and subsequently operated in compliance with the Plan and demonstrated that the potential consequences or repercussions listed in Step 1 do not adversely affect the District, its residents and businesses.

Within 60 (sixty) days of receiving the complete General Plans and Specifications from an Applicant, the Board shall make a determination as to whether the General Plans and Specifications submitted by the Applicant contain sufficient information for the Board to complete its review of the proposal. In the event the Board determines that more information is necessary to complete its review of the proposal, the Board shall notify the Applicant of such request in writing within 10 (ten) days of its determination for additional information.

Within 90 (ninety) days of determining that the Applicant has submitted a complete set of General Plans and Specifications, the Board shall determine whether the proposal complies with the Plan and the criteria identified in Step 1 herein. The Board shall notify the Applicant of its decision in writing. While the Board has broad discretion regarding the approval of General Plans and Specifications for a proposed Solid Waste Facility or the Modification of an existing in-District Solid Waste Facility, it is the intent of this Siting Strategy that the Board shall not approve General Plans and Specifications for a proposed Solid Waste Facility unless the Board determines that the proposed Solid Waste Facility or Modification of an existing in-District Solid Waste Facility complies with the Plan and the criteria identified in Step 1 herein.

STEP 3: Development Agreement

In the event the Board determines that the proposed construction or Modification and subsequent operation of a Solid Waste Facility complies with the Plan, the Applicant shall enter into a Development Agreement with SWACO, which memorializes the obligations that are the basis of the Board's conclusion that the General Plans and Specifications demonstrate that the proposed facility or its Modification complies with the Plan, and any other terms and conditions required for the Board's approval. The Applicant shall have an ongoing obligation to comply with the Plan and the Development Agreement and shall construct and commence the operation of the Solid Waste Facility within 365 days of the Board's determination or the date specified in the Development Agreement, whichever is later. Any Solid Waste Facility that fails to commence the operation of said Facility within the required time period may be required by the Board to apply for a waiver.

IV. EXEMPTION/WAIVERS FROM SITING STRATEGY

- a) Exemption – District Rule 7-2017 shall not apply to a Solid Waste Facility owned, operated, or to be owned or operated, by SWACO.
- b) Waiver – the Board may waive the requirement for submission and Board approval of General Plans and Specifications or otherwise grant exceptions to these rules, if the Board concludes, in its sole and complete discretion that such waiver is in the best interest of the District.