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:	October 31, 2007
Counties within district:	Henry
Years in planning period:	15

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

Counties within District:	Henry
Years in planning period:	15
Year 1 of the planning period:	2014

B. Reason for Plan Submittal

Mandatory five-year plan update.

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

In accordance with ORC 3734.56(D), the *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 implement the Solid Waste Plan. The criteria used to make the determination of material change are as follows:

- Change in Waste Generation
- Change in the Capacity Available for Disposal, Transfer and Composting
- Change in Strategies for Waste Reduction and/or Recycling
- Change in the Availability of Revenues for Plan Implementation
- Change in the Procedures to be followed for Plan Implementation
- Change in the Timetable for Implementation of Programs and/or Activities

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:

Change in Waste Generation

A change in waste generation within the District that impairs the ability of the facilities identified in the *Plan Update* to adequately process the District-generated waste and/or a change in waste generation within the District that impairs the ability of the District to financially fund programs would constitute a material change in circumstances. However, if the facilities identified in this *Plan Update* adapt to the change in waste generation, the change in waste generation would not be deemed a material change in circumstances.

If the District is able to adjusts budgets or implement contingency funding options listed in this *Plan Update* in Section VI from a change in waste generation that would negatively affect the financial funding of this *Plan Update*, then a change in waste generation would not be deemed a material change in circumstances.

Change in the Capacity Available for Disposal, Transfer and Composting

Capacity shortfall to one or more waste management methods identified in the Plan Update would be deemed a material change if other waste management methods identified and/or not identified in the *Plan Update*, but deemed acceptable by the Board, were unavailable. However, if other waste management methods are capable of handling the capacity shortfall, the change in capacity would not be deemed a material change in circumstances.

Change in Strategies for Waste Reduction and/or Recycling

Strategies for waste reduction and/or recycling are dependent upon many variable factors. The District is committed to promoting recycling; however, changes in recycling markets and/or the recycling needs of the District would constitute a material change if they result in the permanent discontinuation of strategies that are necessary in order to demonstrate compliance with the State Plan Goals in this *Plan Update*. The loss of strategies that are not needed to demonstrate State Plan Goals would not be deemed a material change in circumstances.

Change in the Availability of Revenues for Plan Implementation

Any significant shortfall in revenues that would result in a program discontinuation would be deemed a material change in circumstances if the lack of funding prohibits demonstration of State Plan Goals. However, if the District is able to adjusts budgets or implement contingency funding options listed in this *Plan Update* in Section VI from a change in revenues that would negatively affect the financial funding of this *Plan Update*, then a change in revenues would not be deemed a material change in circumstances.

Change in the Procedures to be followed for Plan Implementation

Significant changes in the procedures for implementing the *Plan Update* would be deemed a material change in circumstances if said changes would prevent District staff from implementing programs necessary to meet required State Plan Goals. A delay in procedures for plan implementation would not be a material change in circumstances providing the procedures do not hinder the implementation of programs that are needed to meet required State Plan Goals.

Change in the Timetable for Implementation of Programs and/or Activities

Significant changes or delays in program implementation would be deemed a material change in circumstances if said changes resulted in non-compliance with required State Plan Goals. However, if the District is able to implement new strategies within a reasonable time frame to ensure compliance with State Plan Goals, then a material change in circumstances would not have occurred.

2. Monitoring Process

The District's Board and the solid waste coordinator will monitor the changes indicated above on an annual basis by reviewing implementation of the *Plan Update* and looking for indicators such as:

- A significant increase from the 2010 baseline, for two or more consecutive years, of waste quantities reported to Ohio EPA for solid waste disposal facilities used by the District.

- A significant decrease in remaining capacity in identified landfills, along with an absence of alternatives, such that capacity falls short of the 15-year planning period.

- A significant increase in flow of solid waste to non-designated

facilities, leading to a loss in revenue adversely impacting the District's ability to fulfill State Plan Goals.

- A significant cost increase for all programs and strategies planned by the District throughout the planning years.

- A significant one year decrease in total recycling tonnage collected by local recycling activities.

- The loss of one or more entire recycling markets such that the District would be unable to recycle one or more of the required designated materials necessary to meet Goal #1 of the 1995 State Plan.

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 decided 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.

3. Timetable for Analyzing the Determination

Within thirty days after the Board makes a determination that a material change has occurred, the Board will call a meeting of the Policy Committee requesting the Policy Committee to analyze the *Plan Update* and submit a Draft Amended Plan to the Board.

4. Notification Procedure

After the Board has decided that a material change has occurred, the Board will notify the municipal corporations and townships within the District and Ohio EPA of its intention to revise the *Plan Update* because of a material change in circumstances from those addressed in the approved Plan. The notification will explain in detail the change or changes that led to the decision.

D. District Formation and Certification Statement

A copy of the original resolution forming the District is included in Appendix A. 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 Henry County. These members will include:

- The president of the board of county commissioners or his/her designee;
- The mayor, or a representative chosen to act on his/her behalf, of the largest city in the county (City of Napoleon);
- A member representing the townships within Henry County chosen by a majority of the board of township trustees within Henry County;
- The health commissioner from Henry County, or a representative appointed by the health commissioner to act on behalf of the county's health department;
- One industrial representative from Henry County to act on behalf of the industries located within Henry County. This position is appointed by the four permanent members of the policy committee; and
- Two public members from Henry 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.

The following committee members are listed in accordance with the political jurisdictions and constituencies they represent:

Policy Committee Member	Representing	Term
Thomas H. Von Deylen	County Commissioner	Unlimited
Jeff Rathge	City of Napoleon Representative	Unlimited
Kent Badenhop	Township Representative	Unlimited
Jon Lindsay	Health Department Representative	Unlimited
Aaron McCoy	Industrial Representative	Unlimited
Norman Norden	Public Member	Unlimited
Marvin Behnfeldt	Public Member	Unlimited

F. Board of Directors

The following board members are listed:

Commissioner
Thomas H. Von Deylen
Richard C. Myers
Robert E. Hastedt

G. District Address and Phone Number

Henry County Solid Waste Management District
P.O Box 96
L-622 Twp. Rd. 11 (between roads L & M)
Malinta, OH 4355

Contact: Michael Imbrock
District Coordinator

Phone: 419-256-7343
Fax: (419-256-7343

Email: henrycountylitter@bright.net

H. Technical Advisory Council and Other Subcommittees

The District did not utilize a Technical Advisory Committee (TAC) for 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.