



**2013-2014
Legislative Program
130th Ohio General Assembly**

The following is a summary of the solid waste section of the “CCAO 2013-2014 Legislative Program” (pages 19-20). [Click here](#) to view the complete Legislative Program. For more information, please contact Brad Cole, Managing Director of Research, at 614/220-7981, 888/757-1904 or bcole@ccao.org

SOLID WASTE

CCAO supports giving solid waste districts maximum flexibility to meet the requirements of the state solid waste management plan through locally directed and approved plans with minimal state oversight. In response to Ohio EPA and after extensive deliberations, CCAO and the Organization of Solid Waste Districts of Ohio (OSWDO) supports the following programmatic goal for solid waste districts under Ohio law:

“Maximizing the use of waste as a resource through the development of adaptive, effective and financially sustainable programs, facilities, policies and/or public-private partnerships that promote the health, safety and welfare of Ohio communities.”

Local control of solid waste planning

Under broad goals and guidelines established by state law and the state solid waste plan, CCAO supports local self-determination in the number and composition of districts. CCAO believes that adoption of disposal, generation, and contract fees should remain local choices approved by local officials. Flow control must be preserved for local officials to finance public facilities and to implement the purposes of a locally approved solid waste management plan. CCAO supports retention of the authority of solid waste districts to adopt solid waste rules that govern 1) the maintenance, protection, and use of all solid waste collection and disposal facilities; 2) the receipt of out of district waste; 3) the application of zoning to solid waste facilities; and 4) the implementation of a program for the inspection of out of state waste. CCAO believes that district programs must reflect local needs, demographics, and waste management conditions and that a one size fits all approach to local solid waste planning is not in the long term best interest of the state or its citizens.



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County Employee Benefits
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Counties Uniting for Affordable Health Benefits

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County Commissioners
Association of Ohio
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Flexibility in solid waste governance

CCAO supports local flexibility for each district to determine whether to have a board of directors or to establish a regional solid waste authority for governance purposes. For solid waste districts that choose to retain the board of directors/solid waste policy committee governing structure, the law should be amended to permit districts to reduce policy committee quorum requirements and to reconfigure policy committees to reduce the sheer size of multi-county district policy committees. Districts with two or more counties should be able to participate in meetings via electronic video conferencing, and districts with three or more counties should have the ability to establish a non-statutory membership composition.

Streamlining of the planning process

CCAO supports streamlining the planning process by requiring each district/authority to prepare a plan every ten years instead of every 3 1/3 years provided the district is meeting goals laid out in the plan. CCAO believes that plan components should be less prescriptive than they are currently, that the format should be general and serve as a guidance document, and the format should not be a one size fits all template. In general, CCAO supports putting more resources into plan implementation and devoting less time to continuous updates and revisions of the plans. Other changes to the planning process that CCAO supports include the following:

1. **Fee modification process** – Reduction in district generation and disposal fees should not require ratification of the solid waste plan, rather such changes should only require two hearings and a resolution.
2. **Plan components** – Remove burden of inventory data collection from districts and require brokers and haulers to submit data to the state.
3. **Plan ratification process** – Maintain the 60% approval for ratification and remove large city veto.
4. **Plan ratification process** – Failure by a political subdivision to vote removes that political subdivision from the calculation needed for approval.

In order to promote fiscal accountability, CCAO supports allowing districts to discontinue service where the costs for providing service exceed the economic value without re-ratification of the plan. In order to reduce fund balances, CCAO also supports permitting districts that levy disposal fees to reduce the \$1 dollar per ton minimum disposal fee.

Twenty five years ago in response to capacity and environmental concerns the Ohio General Assembly made solid waste management a public purpose and charged county commissioners with responsibility to prepare and implement solid waste management plans to meet the solid waste needs of the citizens in every county in the state. County commissioners have taken this responsibility seriously and have invested millions of dollars in disposal, transfer, and recycling facilities and programs to meet the solid waste needs of the general public. If county commissioners are to make full use of existing facilities, programs, and services, it is essential that local officials have the power to: 1) Have self-determination relative to the composition of each solid waste district, 2) Establish funding mechanisms to carry out district solid waste plans, 3) Adopt rules to make sure that solid waste facilities are properly utilized, and 4) Implement designation and debt financed flow control to make sure that facility debt may be retired and that solid waste plans may be fully implemented.