

IX. District Rules [ORC Section 3734.53 (C)]

A. Existing Rules

The Delaware, Knox, Marion, Morrow Solid Waste Management District is authorized under this Plan Update to make, publish, and enforce rules in accordance with Section 343.01 (G)(1), (2), (3) and (4) and Section 3734.53 ©(1), (2), (3) and (4) of the Ohio Revised Code (ORC).

The Existing rules of the District are as follows:

Definitions

“District” means the Delaware-Knox-Marion-Morrow Joint Solid Waste Management District with its principal offices located at 222 W. Center Street, Marion, Ohio.

“Person” includes any natural person, the state, any political subdivision of the state or other state or local body, the United States and any agency or instrumentality thereof, and any legal entity or organization defined as a person under section 1.59 of the Ohio Revised Code.

“Recyclable Material” means any material generated by a Person or entity within the District which is capable of processing at a recycling or material recovery facility, for which there is a resale market, and which is identified by the District in writing from time to time. Such material typically include, but are not necessarily limited to, glass bottles and jars, paper, metal products and containers, plastics, fiber material and other similar materials.

“Rule” means any rule promulgated, adopted and published by the Board, within its power to adopt rules reserved in the Plan, and authorized by Sections 343.01(G) and 3734.53(C) of the Ohio Revised Code, as now existing or hereafter amended.

“Separated Recyclable Material” means a Recyclable Material which has been separated at the point of generation or at the point of collection from other solid waste, and includes, but is not limited to, such measures as placing recyclables in portable containers, compartments of portable containers, or vehicles dedicated to Separated Recyclable Material collection.

“Solid Waste” means such unwanted residual solid or semisolid material as results from residential, industrial, commercial, agricultural and community operations, excluding earth or material from construction, mining or demolition operations, or other waste materials of the type that would normally be included in demolition debris, non-toxic fly ash, spent non-toxic foundry sand, and slag and other substances that are not harmful or inimical to public health, and includes, but is not limited to, garbage, tires, combustible and non-combustible material, street-dirt and debris. Solid waste does not include any material that is an infectious waste or a Hazardous Waste.

DKMM Rule 1.01

No person, as that term is defined in Section 1.59 of the ORC, or municipal corporation, township or other political subdivision or agency thereof, shall construct any solid waste transfer facility or disposal facility until general plans and specifications for the proposed construction have been submitted to

and approved by the Board of Directors of the DKMM District, as complying with the District's solid waste management plan. (#98-017, 10/98)

DKMM Rule 2.01

No person shall incinerate or landfill Separated Recyclable Materials without the prior written consent of the District. (#03-025, 7/03)

DKMM Rule 2.02

No person shall combine Separated Recyclable Materials with Solid Waste that is intended for processing or landfilling without the prior written consent of the District. (#03-025, 7/03)

DKMM Rule 2.03 Delivery of Solid Waste to Designated Facilities

No person shall deliver or cause to be delivered solid waste to any facility other than a solid waste facility designated by the Board of Directors pursuant to R.C. § 343.014 unless the Board has granted a waiver from designation to such person. (#06-008, 2/06)