

**NOTICE OF ADOPTION OF RULES
OHIO ENVIRONMENTAL PROTECTION AGENCY**

**Rules Governing
Proposed Rulemaking Governing
Composting Facilities**

Notice is hereby given that the Director of Environmental Protection, under the authority of Sections 3734.026 and 3734.57 of the Ohio Revised Code and in accordance with Chapter 119, proposes to original file the following rules of the Ohio Administrative Code:

Rule Number	Rule Title	Action
3745-27-40	Authorized feedstocks, bulking agents, and additives and classification of composting facilities.	Rescind
3745-27-41	Notification requirements for class II, III, and IV composting facilities.	Rescind
3745-27-42	Permit to install for class I solid waste composting facilities.	Rescind
3745-27-43	Additional criteria for approval of permit to install applications for class I solid waste composting facilities.	Rescind
3745-27-45	Composting facility operations.	Rescind
3745-27-46	Standards for compost products.	Rescind
3745-27-47	Closure of composting facilities.	Rescind
Composting Program Chapter OAC 3745-560		
Definitions and Administrative Requirements for a Composting Facility		
3745-560-01	Composting facilities – applicability.	New
3745-560-02	Composting facilities – definitions.	New
3745-560-03	Composting registration application call-in schedules.	New
3745-560-04	Composting – log of operations and annual report forms.	New
3745-560-05	Composting - closure cost estimate.	New
Class I Composting Facilities		
3745-560-100	Class I composting facility establishment.	New
3745-560-101	Criteria and procedures for approval, termination, revocation, and administrative change of a class I composting facility permit to install.	New
3745-560-102	Facility preparation requirements for class I composting facilities.	New
3745-560-105	Alternative materials request for class I composting facilities.	New
3745-560-110	Operational requirements for class I composting facilities.	New
3745-560-115	Record keeping requirements for class I composting facilities.	New
3745-560-120	Compost distribution requirements for class I composting facilities.	New

3745-560-125	Compost sampling and testing requirements for class I composting facilities.	New
3745-560-130	Compost quality standards for class I composting facilities.	New
3745-560-135	Closure requirements for class I composting facilities.	New
Class II Composting Facilities		
3745-560-200	Class II composting facility establishment.	New
3745-560-201	Criteria for approval and termination of a class II composting facility registration.	New
3745-560-202	Facility preparation requirements for class II composting facilities.	New
3745-560-205	Alternative materials request for class II composting facilities.	New
3745-560-210	Operational requirements for class II composting facilities.	New
3745-560-215	Record keeping requirements for class II composting facilities.	New
3745-560-220	Compost distribution requirements for class II composting facilities.	New
3745-560-225	Compost sampling and testing requirements for class II composting facilities.	New
3745-560-230	Compost quality standards for class II composting facilities.	New
3745-560-235	Closure requirements for class II composting facilities.	New
Class III Composting Facilities		
3745-560-300	Class III composting facility establishment.	New
3745-560-301	Criteria for approval and termination of a class III composting facility registration.	New
3745-560-302	Facility preparation requirements for class III composting facilities.	New
3745-560-310	Operational requirements for class III composting facilities.	New
3745-560-315	Record keeping requirements for class III composting facilities.	New
3745-560-320	Compost distribution requirements for class III composting facilities.	New
3745-560-325	Compost sampling and testing requirements for class III composting facilities.	New
3745-560-330	Compost quality standards for class III composting facilities.	New
3745-560-335	Closure requirements for class III composting facilities.	New
Class IV Composting Facilities		
3745-560-400	Class IV composting facility establishment.	New
3745-560-401	Criteria for approval and termination of a class IV composting facility registration.	New
3745-560-402	Facility preparation requirements for class IV composting facilities.	New
3745-560-410	Operational requirements for class IV composting facilities.	New

3745-560-415	Record keeping requirements for class IV composting facilities.	New
3745-560-435	Closure requirements for class IV composting facilities.	New
Multi-Program General Administration OAC 3745-500		
3745-500-01	General administration - applicability	New
3745-500-02	General administration - definitions	New
3745-500-03	Incorporation by reference	New
3745-500-35	Relationships among authorizing documents, rules, and the authority of the director and board of health	New
3745-500-50	Signatures	New
3745-500-120	Procedures for issuing, denying, modifying, transferring, and revoking licenses and permits to install	New
3745-500-130	Retention and distribution of authorizing documents – procedures for boards of health and Ohio EPA	New
3745-500-150	Alteration to a solid waste permit to install	New
3745-500-210	Variances for solid waste facilities	New
3745-500-220	Exemptions from solid waste requirements	New
3745-500-330	Termination of a permit to install issued under Chapter 3734. of the Revised Code	New
3745-500-350	Causes for revoking a permit to install issued under Chapter 3734. of the Revised Code	New
3745-500-360	Administrative change to a permit to install.	New
Multi-Program Licensing OAC 3745-501		
3745-501-01	Licensing – applicability.	New
3745-501-02	Licensing – definitions.	New
3745-501-05	Licenses required for solid waste facilities.	New
3745-501-10	License applications, application procedures, and remittal of fees after license issuance.	New
3745-501-15	Criteria for issuing or denying facility licenses.	New
3745-501-20	Procedures for the licensing authority for reviewing and considering license applications.	New
3745-501-35	Transfer of licenses.	New
3745-501-40	Suspension or revocation of a license.	New
Multi-Program Financial Assurance OAC 3745-503		
3745-503-01	Financial assurance – applicability.	New
3745-503-02	Financial assurance – definitions.	New
3745-503-05	Financial assurance for a solid waste facility closure.	New
3745-503-20	Wording of financial assurance instruments.	New

The public comment period will run until 5:00 p.m. on October 25, 2011. A public hearing on the proposed rules will be held to consider public comments in accordance with Section 119.03 of the Ohio Revised Code. This hearing will be held on October 25, 2011 at 10:30 am, in the 6th Floor Conference Center, Room B at Ohio EPA, Lazarus Government Center, 50 W. Town Street, Suite 700, Columbus, Ohio. All visitors to Ohio EPA must register at the Security desk in the lobby upon arrival. Please bring photo identification

(such as a valid driver's license). For security reasons, visitors are required to wear their badge at all times while in the building. Please arrive early to complete these procedures.

To facilitate the scheduling of oral presentations, persons intending to give testimony at the hearing should notify the Ohio EPA Public Interest Center, P.O. Box 1049, Columbus, Ohio 43216-1049, (614) 644-2160. Prior registration will ensure that registrants are heard ahead of those individuals who register at the hearing. Oral testimony may be limited to five minutes, depending on the number of persons testifying. All interested persons are entitled to attend or be represented and to present oral and/or written comments concerning the proposed rule making.

Written testimony should be sent to the attention of Michelle Braun at the Division of Materials and Waste Management P.O. Box 1049, Columbus Ohio 43216-1049. Written comments may also be submitted to the Hearing Officer at the public hearing. Written testimony will receive the same consideration as oral testimony. All testimony received at the hearing or by close of business on October 25, 2011 will be considered by Ohio EPA prior to final action on this rulemaking proposal. Written comments submitted after this date may be considered as time and circumstances permit.

Questions regarding this rule package should be directed to Michelle Braun, at the Division of Materials and Waste Management, at (614) 728-5372.

To receive a copy of the proposed rules, please contact the DMWM receptionist at (614) 644-2621. In addition, full copies of all proposed rules are available for review at any Ohio EPA district office and at the Ohio EPA central office. The proposed rules are also accessible on DSIWM web page at www.epa.ohio.gov/dsiwm.