

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

**Proposed Rulemaking Governing  
Construction and Demolition Debris Landfills**

Notice is hereby given that the Director of Environmental Protection, in accordance with Chapter 119 of the Ohio Revised Code, proposes to original file the following rules of the Ohio Administrative Code in accordance with the rulemaking authority referenced by the proposed rules below:

<b>Rule Number</b>	<b>Rule Title</b>	<b>Action</b>
3745-400-08	Construction and final closure certification.	Amend
3745-400-12	Final closure of facilities.	Amend
3745-400-13	Financial assurance for construction and demolition debris facility final closure.	Amend
3745-400-14	Wording of the financial instruments.	Amend
3745-400-16	Post-closure care of a construction and demolition debris facility.	New
3745-400-17	Procedures for issuance of an order extending the post-closure care period.	New
3745-400-18	Financial assurance for post-closure care of construction and demolition debris facilities.	New
3745-400-19	Post-closure care certification report.	New
3745-400-20	Leachate sampling and analysis and additional requirements to monitor ground water for leachate parameters.	New
3745-400-21	Construction and demolition debris facility – leachate parameter list	New
3745-400-25	Five year transition for final closure and post-closure care financial assurance for construction and demolition debris facilities.	New

The public comment period will run until 5:00 p.m. on January 3, 2012. 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 January 3, 2012 at 10:30 a.m., in the 6<sup>th</sup> 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 rulemaking.

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 January 3, 2012 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](http://www.epa.ohio.gov/dsiwm).