

**BEFORE THE
OHIO ENVIRONMENTAL PROTECTION AGENCY**

**Public Notice
Proposed Rulemaking Governing
Construction and Demolition Debris Co-Located Processing Facility Rules**

Notice is hereby given that the Director of Environmental Protection, under the authority of Sections 3714.02, 3714.022, 3714.06, 3714.062, 3714.07, 3714.071, and 3714.09 of the Ohio Revised Code and in accordance with Chapter 119 of the Ohio Revised Code, proposes to original file the following rules of the Ohio Administrative Code:

Rule Number	Rule Title	Action
3745-400-01	Definitions.	Amend
3745-400-02	General obligations.	Amend
3745-400-07	Design requirements and construction specifications.	Amend
3745-400-11	Operations.	Amend
3745-400-12	Final closure.	Amend
3745-400-13	Financial assurance for final closure.	Amend
3745-400-26	Operator certification.	Amend
3745-500-02	General administration – definitions.	Amend
3745-501-02	Licensing – definitions.	Amend
3745-501-05	Licensing requirements.	Amend
3745-501-10	License applications and application procedures.	Amend
3745-501-12	Additional criteria for C&DD license applications.	Amend
3745-501-15	Criteria for issuing or denying facility licenses.	Amend

The purpose of this rule making is to fulfill the requirements of Senate Bill 2 of the 132nd Ohio General Assembly, which required the director to adopt rules for construction and demolition debris processing facilities to ensure that the facilities will not create a nuisance, fire hazard, or health hazard or cause or contribute to air or water pollution. These rules pertain to C&DD “co-located” processing facilities, which are located wholly within the facility boundary of a licensed construction and demolition debris facility, as that boundary is identified in the effective construction and demolition debris facility license.

The public comment period will run until May 25, 2022. A public hearing on this proposed rule making will be held to consider public comments in accordance with Section 119.03 of the Ohio Revised Code.

Ohio EPA will be holding virtual public hearing on the rules on May 25, 2022 at 10:30 a.m. During the hearing, the public may submit written comments on the record about the proposed rules that will be read into the record by the hearing host.

Citizens who want to participate virtually must register in advance for the meeting at <https://attendee.gotowebinar.com/register/4905651869637738508>.

Written testimony can be emailed to the attention of Michelle Mountjoy at the Division of Materials and Waste Management (DMWM) at michelle.mountjoy@epa.ohio.gov. All comments received at the public

hearing or via email by close of business on May 25, 2022, 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 Mountjoy, DMWM, at (614) 728-5372.

At this time, the proposed rules are only accessible on DMWM's web page at <https://epa.ohio.gov/dmwm/DMWMrules>.

Please note: Ohio EPA recommends submitting your comments via email as it is the best way to ensure Ohio EPA receives your comments in the most timely manner.