

**BEFORE THE
OHIO ENVIRONMENTAL PROTECTION AGENCY**

**Public Notice
Proposed Rulemaking Governing
Solid Waste Incinerator and Solid Waste Energy Recovery Facility Rules**

Notice is hereby given that the Director of Environmental Protection, under the authority of Sections 3734.02, 3734.021, and 3734.73 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
3745-27-50	Solid waste incinerator or solid waste energy recovery facility permit to install application.	Rescind
3745-27-51	Additional criteria for approval of solid waste incinerator or solid waste energy recovery facility permit to install applications.	Rescind
3745-27-52	Operation of solid waste incinerator and solid waste energy recovery facilities.	Rescind
3745-27-53	Final closure of solid waste incinerator or solid waste energy recovery facilities.	Rescind
3745-500-02	General administration – definitions.	Amend
3745-501-10	License applications and application procedures.	Amend
3745-550-01	Solid waste incinerator or energy recovery facility – applicability.	New
3745-550-02	Definitions.	New
3745-550-300	Permit to install.	New
3745-550-350	Permit to install issuance.	New
3745-550-600	Operations.	New
3745-550-615	Log of operations.	New
3745-550-670	Annual report.	New
3745-550-700	Closure.	New

These rules provide the procedures for the construction, operation, and closure of solid waste incinerators and solid waste energy recovery facilities. DMWM has determined that minimal programmatic changes to bring the rules in compliance with the Legislative Service Commission's and Ohio EPA's rule drafting standards are necessary and has also relocated the rules into their own Ohio Administrative Code chapter, consistent with DMWM's effort to re-organize all of its rules, to allow for better readability.

The public comment period will run until October 26, 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 an in-person and virtual public hearing on the rules on October 26, 2022 at 1:00 pm. The in-person hearing will be at the same time and date and will be located at Ohio EPA, Suite 700, 50 W. Town Street, Columbus, Ohio 43215. During the hearing, the public may submit written comments on the record about the proposed rules if participating virtually and verbally if participating in person.

Citizens who want to participate virtually must register in advance for the meeting at: <https://attendee.gotowebinar.com/register/1189723684209414414>

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 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 October 26, 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 or to receive a copy of the rules, please contact Michelle Mountjoy, DMWM, at (614) 728-5372 or michelle.mountjoy@epa.ohio.gov.

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 DMWM web page at <https://epa.ohio.gov/divisions-and-offices/materials-and-waste-management/regulations/welcome>.

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.

To request a reasonable accommodation due to a disability, visit <https://epa.ohio.gov/ada>