

**BEFORE THE
OHIO ENVIRONMENTAL PROTECTION AGENCY**

**Public Notice
Proposed Rulemaking Governing
OAC Chapters 3745-27, 3745-37, and 3745-400**

Notice is hereby given that the Director of Environmental Protection, under the authority of Sections 3714.02 and 3734.02 of the Ohio Revised Code and in accordance with Chapter 119, proposes to file the following rules of the Ohio Administrative Code:

- 3745-27-04 Regulation of select wastes.
- 3745-27-18 Corrective measures financial assurance for sanitary landfill facility.
- 3745-37-08 Approved list of health districts.
- 3745-37-09 Return of solid waste facility, infectious waste treatment facility, and construction and demolition debris facility licensing function to health districts.
- 3745-37-10 Time for inspections.
- 3745-400-04 Authorized, limited, and prohibited construction and demolition debris disposal methods.
- 3745-400-05 Clean hard fill.
- 3745-400-06 Prohibited locations for construction and demolition debris facilities.
- 3745-400-08 Construction and final closure certification.
- 3745-400-09 Site characterization.
- 3745-400-10 Ground water monitoring.
- 3745-400-15 Modifications and exemptions.
- 3745-400-21 Construction and demolition debris facility – leachate sampling and ground water monitoring parameter list.

In a joint rulemaking effort, the Lieutenant Governor's office and Ohio EPA have identified rules that have not been recently filed with the Joint Committee on Agency Rule Review (JCARR). These rules are overdue for their five-year review pursuant to Ohio Revised Code (ORC) 106.03 and cover solid waste, construction and demolition debris (C&DD), and the director's approved list of health districts.

The public comment period will run until September 17, 2024. A public hearing on this proposed rulemaking 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 September 17, 2024, at 10:30 a.m. During the hearing, the public may submit written comments on the record about the proposed rules and, if participating virtually, may provide comments verbally.

The in-person hearing will be located at Ohio EPA, Suite 700, 50 W. Town Street, Columbus, Ohio 43215. Anyone wishing to participate virtually must register in advance for the meeting at: <https://attendee.gotowebinar.com/register/4365979695716599390>. Registration for the in-person hearing is not required.

Persons intending to give testimony at the hearing should notify the Ohio EPA Office of Communications and Outreach, P.O. Box 1049, Columbus, Ohio 43216-1049, (614) 644-2160 or by emailing mary.mccarron@epa.ohio.gov. 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 emailed to the attention of Michelle Mountjoy at michelle.mountjoy@epa.ohio.gov. 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 September 17, 2024, 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 at the Division of Materials and Waste Management at (614) 728-5372 or michelle.mountjoy@epa.ohio.gov.

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

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