

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

**Rules Governing**

**Construction and Demolition Debris Standalone Processing Facility Rules**

Notice is hereby given that the Director of the Ohio Environmental Protection Agency (Ohio EPA) has final filed the following rules of the Ohio Administrative Code:

Rule	Title	Action
3745-400-01	Definitions.	Amend
3745-400-02	General obligations.	New
3745-400-03	Facility exclusions.	Rescind
3745-400-03	Facility and processing facility exclusions.	New
3745-400-13	Financial assurance for construction and demolition debris facility and construction and demolition debris processing facility final closure.	Amend
3745-400-14	Wording of the financial assurance instruments.	Amend
3745-400-26	Operator certification.	Amend
3745-400-50	Processing facility permit to install.	New
3745-400-52	Processing facility design requirements.	New
3745-400-54	Criteria and procedures for processing facility permits to install.	New
3745-400-56	Financial assurance for final closure of processing facilities.	New
3745-400-57	Three year transition for final closure financial assurance for construction and demolition debris processing facilities.	New
3745-400-58	Processing facility operations.	New
3745-400-60	Final closure of a processing facility.	New
3745-500-01	General administration – applicability.	Amend
3745-500-02	General administration – definitions.	Amend
3745-500-03	Incorporation by reference.	Amend
3745-500-120	Procedures for issuing, denying, modifying, transferring, and revoking licenses and permits to install.	Amend
3745-500-150	Alteration to a permit to install.	Amend
3745-500-220	Exemptions from the requirements of Chapters 3714. and 3734. of the Revised Code.	Amend
3745-500-360	Administrative change to a permit to install.	Amend
3745-501-02	Licensing – definitions.	Amend
3745-501-05	Licensing requirements.	Amend
3745-501-10	License applications and application procedures.	Amend
3745-501-15	Criteria for issuing or denying facility licenses.	Amend
3745-501-20	Procedures for the licensing authority for reviewing and considering license applications.	Amend

3745-501-25	Remittance of fees after license issuance.	Amend
3745-501-35	Transfer of licenses.	Amend

The Director's order of adoption was issued on April 7, 2022. These adopted rules will become effective on April 18, 2022.

The Director's action in this matter is pursuant to the procedural requirements of Ohio Revised Code Chapter 119 and is based upon the record of the public hearing conducted by Ohio EPA on March 8, 2022, and comments received during the public comment period.

You are hereby notified that this action of the Director is final and may be appealed to the Environmental Review Appeals Commission pursuant to Section 3745.04 of the Ohio Revised Code. The appeal must be in writing and set forth the action complained of and the grounds upon which the appeal is based. The appeal must be filed with the Commission within thirty (30) days after notice of the Director's action. The appeal must be accompanied by a filing fee of \$70.00, made payable to "Treasurer, State of Ohio" which the Commission, in its discretion, may reduce if by affidavit you demonstrate that payment of the full amount of the fee would cause extreme hardship. Notice of the filing of the appeal shall be filed with the Director within three (3) days of filing with the Commission. Ohio EPA requests that a copy of the appeal be served upon the Ohio Attorney General's Office, Environmental Enforcement Section. An appeal may be filed with the Environmental Review Appeals Commission at the following address:

Environmental Review Appeals Commission  
30 E. Broad Street, 4<sup>th</sup> Floor  
Columbus, Ohio 43215