

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

**Rules Governing
Beneficial Use**

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:

3745-27-05	Applicability and Relation to other laws.	Amend
3745-599-01	Beneficial use and harbor sediment authorization - applicability.	Amend
3745-599-02	Beneficial use and harbor sediment authorization – definitions.	Amend
3745-599-03	Beneficial use and harbor sediment authorization - incorporation by reference.	Amend
3745-599-05	Beneficial use and harbor sediment authorization - general exclusions.	Amend
3745-599-10	Beneficial use byproduct incorporated into certain construction materials or used as a fuel or as an ingredient in a combustion unit.	Amend
3745-599-20	Beneficial use and harbor sediment authorization – prohibitions.	Amend
3745-599-60	Approved sampling and characterization procedures for the beneficial use of a beneficial use byproduct.	Amend
3745-599-320	Issuance of an individual beneficial use permit.	Amend
3745-599-340	Initial beneficial use byproduct characterization demonstration for individual beneficial use permits.	Amend
3745-599-400	Harbor sediment authorization.	Amend
3745-599-410	Criteria for issuance of a harbor sediment authorization.	Amend

The Director's order of adoption was issued on February 1, 2024. These rules will become effective on February 11, 2024.

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 January 5, 2024, 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 East Broad Street, 4th floor
Columbus, Ohio 43215