

3745-555-10

General obligations for owners, operators, and applicants.

- (A) An applicant for an authorizing document, and an owner or operator that has obtained a permit to install or a license for a solid waste transfer facility pursuant to rules adopted under section 3734.02 of the Revised Code, shall comply with this chapter. The owner or operator of a transfer facility that accepts exclusively source-separated yard waste for transfer shall comply with this chapter. Compliance with this chapter does not relieve any person from the obligation to comply with any applicable statute, rule, or authorizing document.

[Comment: The owner or operator of a transfer facility who has established a solid waste transfer facility by obtaining a license to operate a solid waste transfer facility prior to May 31, 1991 (the effective date of rules adopted under division (A) of section 3734.02 and under division (D) of section 3734.12 of the Revised Code which require that no person shall establish a new solid waste transfer facility without first submitting an application for a permit) and did not modify the transfer facility after that date, is not required to obtain a permit to install, unless such owner or operator modifies the existing solid waste transfer facility.]

- (B) No person shall operate a solid waste transfer facility without first obtaining a license to operate the solid waste transfer facility issued by the licensing authority. This requirement does not apply to a transfer facility that accepts exclusively source-separated yard waste for transfer.
- (C) An owner or operator of a solid waste transfer facility shall obtain, maintain, and comply with all applicable permits and authorizations required by Chapters 3704. and 6111. of the Revised Code for the solid waste transfer facility.
- (D) No person shall establish a new solid waste transfer facility or modify an existing solid waste transfer facility without first obtaining a permit to install issued in accordance with rule 3745-555-300 of the Administrative Code. This requirement does not apply to a transfer facility that accepts exclusively source-separated yard wastes for transfer.
- (E) An owner or operator of a solid waste transfer facility shall maintain compliance with all permits to install, permit modifications and permit alterations, licenses, and orders issued in accordance with Chapter 3734. of the Revised Code and rules adopted thereunder.
- (F) Except as provided in rule 3745-512-51 of the Administrative Code (alterations during construction), no person shall alter a solid waste transfer facility without first obtaining concurrence from Ohio EPA for an alteration to the permit to install for the solid waste transfer facility.

- (G) If the director orders the owner or operator to submit updated engineering detail plans, specifications, and information in accordance with division (A)(5) of section 3734.05 of the Revised Code, and no permit to install was issued pursuant to Chapter 3734. of the Revised Code, the owner or operator shall submit an application for a permit to install in accordance with rule 3745-555-300 of the Administrative Code as though the solid waste transfer facility were being established as a new transfer facility.
- (H) The permit to install shall remain in effect until the director has received, and approved in writing, certification that all required final closure activities were completed, unless the permit has expired in accordance with rule 3745-500-330 of the Administrative Code or was revoked in accordance with rule 3745-500-350 of the Administrative Code.
- (I) The owner or operator of a solid waste transfer facility may request the director to make an administrative change to the permit to install in accordance with rule 3745-500-360 of the Administrative Code.
- (J) The owner or operator of a recycling facility that recycles less than sixty per cent of the weight of solid waste received in any nine months during a rolling twelve-month period, or which no longer meets the definition of a legitimate recycling facility, shall submit a written notification to Ohio EPA of the intent to submit a permit to install application for a solid waste transfer facility in accordance with rule 3745-555-300 of the Administrative Code not later than ninety days after such triggering event, unless the owner or operator of the recycling facility immediately ceases waste acceptance and lawfully disposes of all remaining waste not later than ninety days after after such triggering event.
- (1) An owner or operator of a recycling facility who submitted a notification in accordance with paragraph (J) of this rule may continue to accept solid waste for not more than three hundred sixty-five days after such triggering event, unless extended by Ohio EPA, if the owner or operator of a recycling facility meets both of the following:
- (a) Has submitted a solid waste transfer facility permit to install application not later than one hundred eighty days after submittal of the notification.
- (b) Complies with the operational requirements contained in paragraphs (I) to (K) of rule 3745-555-610 of the Administrative Code.
- (2) Failure to comply with paragraph (J) of this rule may constitute open dumping.

Effective:

Five Year Review (FYR) Dates: 1/3/2024

Certification

Date

Promulgated Under: 119.03
Statutory Authority: 3734.02
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