

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

**Rules Governing  
Proposed Rulemaking Governing  
Composting Facilities**

Notice is hereby given that the Director of Environmental Protection, under the authority of Sections 3734.026 and 3734.57 of the Ohio Revised Code and in accordance with Chapter 119, proposes to original file the following rules of the Ohio Administrative Code:

| <b>Rule Number</b>   | <b>Rule Title</b>  | <b>Action</b> |
|--|--|---------------|
| 3745-27-40   | Authorized feedstocks, bulking agents, and additives and classification of composting facilities.  | Rescind       |
| 3745-27-41   | Notification requirements for class II, III, and IV composting facilities.   | Rescind       |
| 3745-27-42   | Permit to install for class I solid waste composting facilities.   | Rescind       |
| 3745-27-43   | Additional criteria for approval of permit to install applications for class I solid waste composting facilities.                            | Rescind       |
| 3745-27-45   | Composting facility operations.  | Rescind       |
| 3745-27-46   | Standards for compost products.  | Rescind       |
| 3745-27-47   | Closure of composting facilities.  | Rescind       |
| <b>Composting Program Chapter OAC 3745-560</b>                               |  |               |
| <b>Definitions and Administrative Requirements for a Composting Facility</b> |  |               |
| 3745-560-01  | Composting facilities – applicability.   | New           |
| 3745-560-02  | Composting facilities – definitions.   | New           |
| 3745-560-03  | Composting registration application call-in schedules.   | New           |
| 3745-560-04  | Composting – log of operations and annual report forms.  | New           |
| 3745-560-05  | Composting - closure cost estimate.  | New           |
| <b>Class I Composting Facilities</b>   |  |               |
| 3745-560-100   | Class I composting facility establishment.   | New           |
| 3745-560-101   | Criteria and procedures for approval, termination, revocation, and administrative change of a class I composting facility permit to install. | New           |
| 3745-560-102   | Facility preparation requirements for class I composting facilities.   | New           |
| 3745-560-105   | Alternative materials request for class I composting facilities.   | New           |
| 3745-560-110   | Operational requirements for class I composting facilities.  | New           |
| 3745-560-115   | Record keeping requirements for class I composting facilities.   | New           |
| 3745-560-120   | Compost distribution requirements for class I composting facilities.   | New           |

|  |  |     |
|--|--|-----|
| 3745-560-125                           | Compost sampling and testing requirements for class I composting facilities.           | New |
| 3745-560-130                           | Compost quality standards for class I composting facilities.                           | New |
| 3745-560-135                           | Closure requirements for class I composting facilities.                                | New |
| <b>Class II Composting Facilities</b>  |  |     |
| 3745-560-200                           | Class II composting facility establishment.  | New |
| 3745-560-201                           | Criteria for approval and termination of a class II composting facility registration.  | New |
| 3745-560-202                           | Facility preparation requirements for class II composting facilities.                  | New |
| 3745-560-205                           | Alternative materials request for class II composting facilities.                      | New |
| 3745-560-210                           | Operational requirements for class II composting facilities.                           | New |
| 3745-560-215                           | Record keeping requirements for class II composting facilities.                        | New |
| 3745-560-220                           | Compost distribution requirements for class II composting facilities.                  | New |
| 3745-560-225                           | Compost sampling and testing requirements for class II composting facilities.          | New |
| 3745-560-230                           | Compost quality standards for class II composting facilities.                          | New |
| 3745-560-235                           | Closure requirements for class II composting facilities.                               | New |
| <b>Class III Composting Facilities</b> |  |     |
| 3745-560-300                           | Class III composting facility establishment.   | New |
| 3745-560-301                           | Criteria for approval and termination of a class III composting facility registration. | New |
| 3745-560-302                           | Facility preparation requirements for class III composting facilities.                 | New |
| 3745-560-310                           | Operational requirements for class III composting facilities.                          | New |
| 3745-560-315                           | Record keeping requirements for class III composting facilities.                       | New |
| 3745-560-320                           | Compost distribution requirements for class III composting facilities.                 | New |
| 3745-560-325                           | Compost sampling and testing requirements for class III composting facilities.         | New |
| 3745-560-330                           | Compost quality standards for class III composting facilities.                         | New |
| 3745-560-335                           | Closure requirements for class III composting facilities.                              | New |
| <b>Class IV Composting Facilities</b>  |  |     |
| 3745-560-400                           | Class IV composting facility establishment.  | New |
| 3745-560-401                           | Criteria for approval and termination of a class IV composting facility registration.  | New |
| 3745-560-402                           | Facility preparation requirements for class IV composting facilities.                  | New |
| 3745-560-410                           | Operational requirements for class IV composting facilities.                           | New |

|  |   |     |
|--|---|-----|
| 3745-560-415   | Record keeping requirements for class IV composting facilities.   | New |
| 3745-560-435   | Closure requirements for class IV composting facilities.  | New |
| <b>Multi-Program General Administration OAC 3745-500</b> |   |     |
| 3745-500-01  | General administration - applicability  | New |
| 3745-500-02  | General administration - definitions  | New |
| 3745-500-03  | Incorporation by reference  | New |
| 3745-500-35  | Relationships among authorizing documents, rules, and the authority of the director and board of health | New |
| 3745-500-50  | Signatures  | New |
| 3745-500-120   | Procedures for issuing, denying, modifying, transferring, and revoking licenses and permits to install  | New |
| 3745-500-130   | Retention and distribution of authorizing documents – procedures for boards of health and Ohio EPA      | New |
| 3745-500-150   | Alteration to a solid waste permit to install   | New |
| 3745-500-210   | Variances for solid waste facilities  | New |
| 3745-500-220   | Exemptions from solid waste requirements  | New |
| 3745-500-330   | Termination of a permit to install issued under Chapter 3734. of the Revised Code                       | New |
| 3745-500-350   | Causes for revoking a permit to install issued under Chapter 3734. of the Revised Code                  | New |
| 3745-500-360   | Administrative change to a permit to install.   | New |
| <b>Multi-Program Licensing OAC 3745-501</b>              |   |     |
| 3745-501-01  | Licensing – applicability.  | New |
| 3745-501-02  | Licensing – definitions.  | New |
| 3745-501-05  | Licenses required for solid waste facilities.   | New |
| 3745-501-10  | License applications, application procedures, and remittal of fees after license issuance.              | New |
| 3745-501-15  | Criteria for issuing or denying facility licenses.  | New |
| 3745-501-20  | Procedures for the licensing authority for reviewing and considering license applications.              | New |
| 3745-501-35  | Transfer of licenses.   | New |
| 3745-501-40  | Suspension or revocation of a license.  | New |
| <b>Multi-Program Financial Assurance OAC 3745-503</b>    |   |     |
| 3745-503-01  | Financial assurance – applicability.  | New |
| 3745-503-02  | Financial assurance – definitions.  | New |
| 3745-503-05  | Financial assurance for a solid waste facility closure.   | New |
| 3745-503-20  | Wording of financial assurance instruments.   | New |

The public comment period will run until 5:00 p.m. on October 25, 2011. A public hearing on the proposed rules will be held to consider public comments in accordance with Section 119.03 of the Ohio Revised Code. This hearing will be held on October 25, 2011 at 10:30 am, in the 6<sup>th</sup> Floor Conference Center, Room B at Ohio EPA, Lazarus Government Center, 50 W. Town Street, Suite 700, Columbus, Ohio. All visitors to Ohio EPA must register at the Security desk in the lobby upon arrival. Please bring photo identification

(such as a valid driver's license). For security reasons, visitors are required to wear their badge at all times while in the building. Please arrive early to complete these procedures.

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 should be sent to the attention of Michelle Braun at the Division of Materials and Waste Management P.O. Box 1049, Columbus Ohio 43216-1049. 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 October 25, 2011 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 Braun, at the Division of Materials and Waste Management, at (614) 728-5372.

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 DSIWM web page at [www.epa.ohio.gov/dsiwm](http://www.epa.ohio.gov/dsiwm).