

**Environmental  
Protection  
Agency**

## Hearing Summary

Rule Package: Municipal Solid Waste Transfer Facility Rules

Original filing date: January 3, 2024

Public comment start date: January 3, 2024

Public comment end date: February 7, 2024

Public hearing date: February 7, 2024

List of Rules: 3745-500-03, 3745-555-01, 3745-555-02, 3745-555-10, 3745-555-20, 3745-555-110, 3745-555-120, 3745-555-130, 3745-555-140, 3745-555-150, 3745-555-200, 3745-555-210, 3745-555-215, 3745-555-216, 3745-555-300, 3745-555-310, 3745-555-320, 3745-555-400, 3745-555-500, 3745-555-510, 3745-555-520, 3745-555-610, 3745-555-615, 3745-555-620, 3745-555-650, 3745-555-670, 3745-555-690, 3745-555-700

Were there any participants in this public hearing beyond Ohio EPA staff or JCARR staff?

☐ Yes

☒ No

Were there comments received during the public comment period outside of those presented at this hearing?

☐ Yes

☒ No

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This hearing summary has been compiled to meet the requirements of Section 119.03 of the Revised Code.

This hearing summary includes this cover sheet and the following attachments:

1. **Attachment A** - A copy of the public notice for this hearing.
2. **Attachment B** - A copy of the script read into the record to begin and end the hearing.

Ohio EPA's response to comments document includes the comments received, who commented, the agency response to comments, and a statement of whether or not the rule was changed due to the comments.

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Ohio EPA digitally records all public hearings for rules. The digital recordings are available upon request. These recordings may be sent out for transcription if necessary.

**BEFORE THE**  
**OHIO ENVIRONMENTAL PROTECTION AGENCY**

**Public Notice**  
**Proposed Rulemaking Governing**  
**Solid Waste Transfer Facility Rules**

Notice is hereby given that the Director of Environmental Protection, under the authority of Sections 3734.02 of the Ohio Revised Code (ORC) and in accordance with ORC 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>
3745-500-03	Incorporation by reference.	Amend
3745-555-01	Solid waste transfer facility - applicability.	Amend
3745-555-02	Solid waste transfer facility - definitions.	Amend
3745-555-10	General obligations for owners, operators, and applicants.	Amend
3745-555-20	Variances, exemptions, alternatives, alterations, and administrative changes.	No Change
3745-555-110	Parks.	No Change
3745-555-120	Natural areas.	No Change
3745-555-130	Domiciles.	No Change
3745-555-140	Floodplains.	Amend
3745-555-150	Surface waters.	No Change
3745-555-200	Engineered components.	No Change
3745-555-210	Waste handling floor design.	No Change
3745-555-215	Conveyance pipes.	No Change
3745-555-216	Leachate holding tanks.	No Change
3745-555-300	Permit to install application procedures.	Amend
3745-555-310	Transfer facility permit to install application.	Amend
3745-555-320	Permit to install issuance.	No Change
3745-555-400	License application requirements and procedures.	Amend
3745-555-500	Construction and construction certification requirements.	No Change
3745-555-510	Waste handling floor construction.	No Change
3745-555-520	Building to enclose waste handling area.	Amend
3745-555-610	Operation of a solid waste transfer facility – general requirements.	Amend
3745-555-615	Maintaining a log of operations.	Amend
3745-555-620	Access.	Amend
3745-555-650	Waste handling.	Amend
3745-555-670	Annual report.	Amend
3745-555-690	Operations of a transfer facility that accepts exclusively source-separated yard waste.	Amend
3745-555-700	Closure of a transfer facility.	Amend

Ohio Administrative Code Chapter 3745-555 contains specifications for owners and operators of solid waste

transfer facilities and is currently due for a five-year review pursuant to Ohio Revised Code section 106.03. Ohio Administrative Code rule 3745-500-03 lists documents incorporated by reference into OAC Chapters 3745-500 to 3745-599 and provides their availability.

The purpose of this rule making is to satisfy the requirements of Ohio Revised Code section 106.03. The Agency has reviewed the current rules and has determined that minimal changes are necessary.

The public comment period will run until February 7, 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 February 7, 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 in person, 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/4626975163897472853>. 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](mailto: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](mailto: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 February 7, 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](mailto: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>.

## **Attachment B – Hearing Script**

### **DMWM Solid Waste Transfer Facilities Rules Hearing**

February 7, 2024

Hello and welcome to Ohio EPA's public hearing regarding the Division of Materials and Waste Management's proposed rules. My name is Mary McCarron and I'm hosting today's public hearing. With me today from Ohio EPA are Michelle Mountjoy and Mandi Payton. In a moment, we will move to the public hearing where we will take official comments on the proposed rules.

Before we get started, I'd like to go over a few items to help our online participants navigate the GoTo platform.

On this slide you will see an example screenshot of your Attendee interface. You should see something that looks like this on your computer desktop on the right-hand side of your screen. For this public hearing, you are listening in using your computer audio. If you are having sound issues, try refreshing your browser. If that doesn't work, try logging off and logging back in.

Please submit public comments by clicking on the question mark icon and typing them into the Questions pane on your attendee interface. All comments submitted online will be read aloud for the whole audience to hear.

You can also click the handouts button to download included documents.

For those attending in person, you may submit your testimony verbally by raising your hand and moving close to the broadcast tablet, stating your name, and proceeding with your testimony when we call on you.

### **PUBLIC HEARING SPEECH**

Thank you for taking time to attend this hearing before Ohio EPA. The purpose of the hearing today is to obtain comments from any interested person regarding Ohio EPA's proposed rules.

Ohio EPA is proposing to original file Solid Waste Transfer Facility rules in the Ohio Administrative Code Chapter 3745-555.

Ohio Administrative Code Chapter 3745-555 contains specifications for owners and operators of solid waste transfer facilities and is currently due for a five-year review pursuant to Ohio Revised Code section 106.03.

Ohio Administrative Code rule 3745-500-03 lists documents incorporated by reference into OAC Chapters 3745-500 to 3745-599 and provides their availability.

The purpose of this rule making is to satisfy the requirements of Ohio Revised Code section 106.03. The Agency has reviewed the current rules and has determined that minimal changes are necessary.

These rules have been filed with the Joint Committee on Agency Rule Review. Copies of the rules are available for public review on our website.

All interested persons are entitled to attend or be represented, and to present written comments concerning the proposed rules. All written comments received as part of the official record will be considered by the director of Ohio EPA.

To be included in the official record, written comments must be received by Ohio EPA by the close of business, today, Feb. 7, 2024. These comments may be typed into the GoTo platform, spoken in person today, or emailed to [michelle.mountjoy@epa.ohio.gov](mailto:michelle.mountjoy@epa.ohio.gov). All emailed comments submitted for the record receive the same consideration as typed or in-person testimony given today.

Written statements submitted after today may be considered as time and circumstances permit but will not be part of the official record of the hearing.

This hearing allows citizens to provide input. Therefore, we will not be able to answer questions today.

**YOU MAY NOW SUBMIT COMMENTS. I will read aloud any comments we receive in the GoTo platform. If you are attending in-person and would like to submit testimony, please raise your hand, and wait to be called on. I will keep the GoTo platform open until 11 a.m. to provide time for participants to type in comments.**

#### **CLOSING**

We will close the hearing. After the hearing closes, we will accept written comments through 5:00 p.m. today. You can send those comments to the email address on the screen.

Thank you for your comments, cooperation, and participation in Ohio EPA's decision-making process. The time is now 11:00 a.m. and this hearing is concluded.