

3745-27-04 **Regulation of select wastes.**

(A) The owner or operator of a sanitary landfill facility which may be deemed a residual waste landfill facility in accordance with paragraph (C) of rule 3745-30-01 of the Administrative Code may obtain authorization from the director in accordance with paragraph (C) of rule 3745-30-02 of the Administrative Code to comply with Chapter 3745-30 of the Administrative Code in lieu of Chapter 3745-27 of the Administrative Code. Upon receiving authorization from the director in accordance with paragraph (C) of rule 3745-30-02 of the Administrative Code, the owner or operator shall comply with the requirements of Chapter 3745-30 of the Administrative Code, except that the owner or operator shall continue to comply with all applicable authorizing ~~document(s)~~ documents, including a plan approval, operational report, or approved permit to install for the sanitary landfill facility, and the current operating license for the sanitary landfill facility until such time as the owner or operator obtains the necessary approvals to change these requirements.

(B) The owner or operator of a sanitary landfill facility which may be deemed an industrial solid waste landfill facility in accordance with paragraph (B) of rule 3745-29-01 of the Administrative Code may comply with Chapter 3745-29 in lieu of Chapter 3745-27 of the Administrative Code if all of the following apply:

(1) The sanitary landfill facility may be defined as an "industrial solid waste landfill facility" as that term is defined in rule 3745-29-01 of the Administrative Code.

(2) The sanitary landfill facility has not been or cannot be deemed a residual waste landfill facility in accordance with paragraph (C) of rule 3745-30-02 of the Administrative Code.

(3) The director has received a complete notification in accordance with paragraph (C) of rule 3745-29-02 of the Administrative Code.

Upon receipt by the director of a complete notification and certification in accordance with paragraph (C) of rule 3745-29-02 of the Administrative Code, the owner or operator shall comply with the requirements of Chapter 3745-29 of the Administrative Code, except that the owner or operator shall continue to comply with all applicable authorizing ~~document(s)~~ documents, including a plan approval, operational report, or approved permit to install for the sanitary landfill facility, and the current operating license for the sanitary landfill facility until such time as the owner or operator obtains the necessary approvals to change these requirements.

(C) A sanitary landfill which exclusively disposes of processed scrap tires in a monofill or monocell is subject to ~~the requirements in~~ rules 3745-27-60 to 3745-27-75 of the Administrative Code.

~~(D)~~ A sanitary landfill facility which does not receive municipal solid waste on or after June 1, 1994 is not subject to any of the following requirements:

~~(1) Paragraphs (B) and (C)(15) of rule 3745-27-08 of the Administrative Code. In lieu of cap system requirements specified in paragraph (C)(15) of rule 3745-27-08 of the Administrative Code, the owner or operator shall comply with paragraph (C)(16) of rule 3745-27-08 of the Administrative Code.~~

~~(2) Paragraph (G) of rule 3745-27-11 of the Administrative Code, insofar as it requires compliance with the cap system requirements of paragraph (C)(15) of rule 3745-27-08 of the Administrative Code.~~

~~(3) Paragraph (C) of rule 3745-27-19 of the Administrative Code, insofar as it requires compliance with the interim composite liner/leachate collection system requirements of paragraph (B) of rule 3745-27-08 of the Administrative Code.~~

~~(4) Rule 3745-27-20 of the Administrative Code.~~

~~(E)~~(D) For the purposes of ~~Chapters 3745-27~~ this chapter and Chapter 3745-30 of the Administrative Code, the determination of whether spent foundry sand, fly ash, or bottom ash, excluding fly ash and bottom ash produced by a solid waste disposal facility or infectious waste treatment facility, is nontoxic shall be determined by the Ohio environmental protection agency.

Effective:

Five Year Review (FYR) Dates: 08/01/2016

Certification

Date

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