

3745-400-03

**Facility exclusions.**

Pursuant to Chapter 3714. of the Revised Code, ~~Chapters 3745-400~~[this chapter](#), and [Chapter 3745-37](#) of the Administrative Code shall not apply to any of the following:

(A) Any construction site where construction debris and trees and brush removed in clearing the construction site are used as fill material on the site where the materials are generated or removed.

(B) Any site where clean hard fill is used, either alone or in conjunction with clean soil, sand, gravel, or other clean aggregates, in legitimate fill operations.

[Comment: When clean hard fill is placed off the site of generation, the person placing the clean hard fill shall provide a "[Notice of Intent to Fill](#)" in accordance with paragraph (C) of rule 3745-400-05 of the Administrative Code.]

(C) Any site where debris is not disposed, such as where debris is reused or recycled in a beneficial manner, or stored for a temporary period remaining unchanged and retrievable.