

Beneficial Use Rules

Division of Materials and Waste Management

Division of Surface Water

June 10, 2015



Purpose of this meeting

- Beneficial Use Rules released May 14, 2015
- Comments due by June 22, 2015
- Today we'll take questions and provide clarification to assist the development of your comments
 - DMWM & DSW
 - ...And YOU

Logistics for those present

- Please set your cell phones to vibrate
- Restrooms near the elevators
- Vending machines nearby



Logistics for Webex participants

If you have questions or comments, please type them on your computer and we'll read them to the group



Participants

- **City of Columbus Department of Public Utilities.**
- **Columbus Castings**
- **Eclipse Resources**
- **Environmental Design Group**
- **General Motors**
- **Haley & Aldrich, Construction Services Inc.**
- **Hull & Associates, Inc.**
- **McMahon DeGulis LLP**
- **Ohio Cast Metals Association (OCMA)**
- **Ohio Chamber of Commerce**
- **OSU Department of Civil, Environmental and Geodetic Engineering**
- **Republic Services**
- **Waste Management**

Participants

- ArcelorMittal S.A.
- Avalon Holdings Corporation
- ChemChamp
- City of Alliance Water Treatment Dept.
- Civil & Environmental Consultants, Inc.
- Clean Planet
- Cleveland Water Department
- ERM
- Fairfield County Health Department
- Flexible Pavements of Ohio
- General Motors
- Hatchett & Hauck LLP
- Honda Manufacturing of Ohio
- Hull & Associates, Inc.
- KEMRON Environmental Services
- Lubrizol Corporation
- Mahoning County Health Department
- Mannik Smith Group
- Materion
- McMahan DeGulis LLP
- McWane Ductile
- Metaloy
- Mintek Resources
- Mississippi Lime Company
- NTH Consultants, Ltd.
- Northeast Ohio Regional Sewer District (NEORS)
- Ohio Chamber of Commerce
- Orion Engineered Carbons
- PBF Energy
- Pilot Chemical Company
- Portage County Health Department
- PSC Metals, Inc.
- Praxair
- R.C.A Rubber Co.
- Sigma-Aldrich
- Thompson Hine LLP
- Tunnel Hill Partners
- Universal Disposal, Inc.
- Waste Management
- Willow Creek Environmental Services

Agenda

- Has anything changed yet?
- Identify significant changes by section
- Questions
- Next steps
- Further involvement

Has anything changed yet?



- Current program is status quo
 - Land Application Management Plan (LAMP)
 - Integrated Alternative Waste Management Project (IAWMP)

Significant Changes

- **3745-599-01 Applicability**

- Specifies foundry sand, water treatment residuals, waste used as fuel, and dredge materials rather than just ANY solid, industrial or other waste

(A) This chapter is the program chapter for the beneficial use of the following wastes placed on land or burned unless otherwise excluded as provided in rule 3745-599-05 of the Administrative Code:

- (1) Foundry sands that are a solid waste, industrial waste, or other waste.
- (2) Material resulting from the treatment of a water supply for drinking or industrial purposes that are a solid waste, industrial waste, or other waste.
- (3) Solid waste, industrial waste, or other waste for use as fuel or as an ingredient in a combustion unit.
- (4) Dredged material resulting from harbor or navigation maintenance activities.

Questions?

Significant Changes

- **3745-599-02 Definitions**
 - “Beneficial use byproduct” previously called “Select waste”
 - “Agronomic benefit” added
 - “Agricultural Additive” removed

Questions?

Significant Changes

- **3745-599-03 Incorporation by reference**
 - No significant changes

Questions?

Significant Changes

- **3745-599-05 General exclusions**
 - No significant changes

Questions?

Significant Changes

- **3745-599-10 Beneficial use byproduct incorporated into certain construction materials or used as a fuel or as an ingredient in a combustion unit**
 - “Controlled low-strength material when not used in waters of the state” added
 - Ingredient in a combustion unit moved to 3745-599-10 (3745-599-110 removed)

Questions?

Significant Changes

- **3745-599-20 Prohibitions**
 - No significant changes

Questions?

Significant Changes

- **3745-599-25 Signatures**
 - No significant changes

Questions?

Significant Changes

- *3745-599-30 Relationships among authorizing documents, rules, and the authority of the director and board of health*
 - Reorganization
 - Previously “General requirements for the beneficial use of a select waste”

Questions?

Significant Changes

- **3745-599-35 Legitimacy Criteria**
 - No significant changes

Questions?

Significant Changes

- *3745-599-60 Approved sampling and characterization procedures for the use of a beneficial use byproduct*
 - Expanded

Questions?

Significant Changes

- **3745-599-200 General Beneficial Use Permit**
 - Added clarification about what a general beneficial use permit may address

Questions?

Significant Changes

- **3745-599-210 Notice of intent to obtain coverage under a general beneficial use permit**
 - Includes fee of \$350

Questions?

Significant Changes

- **3745-599-220 Coverage under a general beneficial use permit**
 - Added clarification about what the director can require in a general permit

Questions?

Significant Changes

- **3745-599-310 Application for an individual beneficial use permit**
 - Previously in 3745-599-300 and 3745-599-310 (3745-599-300 removed)
 - Added clarification about what the director can require in an individual permit
 - Includes fee of \$350

Questions?

Significant Changes

- **3745-599-320 Issuance of an individual beneficial use permit**
 - Added clarification about what the director can require in an individual permit

Questions?

Significant Changes

- **3745-599-330 Notice and information for distribution – individual beneficial use permits**
 - Previously in 3745-599-40

Questions?

Significant Changes

- ***3745-599-334 Generator obligations for recordkeeping and recording – individual beneficial use permits***
- ***3745-599-335 Distributor obligations for recordkeeping and recording – individual beneficial use permits***
 - Previously in 3745-599-45

Questions?

Significant Changes

- **3745-599-340 Characterization and analysis plan for individual beneficial use permits**
 - Previously in 3745-599-50
 - Significant clarification regarding individual permit characterization and analysis

Questions?

Significant Changes

- **3745-599-345 Compliance sampling and analysis for individual beneficial use permits**
 - Previously in 3745-599-55
 - Expanded

Questions?

Significant Changes

- **3745-599-350 Changes to an individual beneficial use permit**
 - Previously 3745-599-330
 - Includes fee of \$350

Questions?

Significant Changes

- **3745-599-360 Renewal of an individual beneficial use permit**
 - Previously 3745-599-340
 - Includes fee of \$350

Questions?

Significant Changes

- **3745-599-370 Denial of an individual beneficial use permit**
 - Previously 3745-599-350

Questions?

Further questions?

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Next steps...

- Receive comments (due by June 22nd)
- Ohio EPA review of comments
- File proposed rules
 - Draft Business Impact Analysis (BIA)
 - Responsiveness summary
 - Provide a formal public comment period and public hearing

Beneficial use rules progress

- How to submit comments

Mail or Email Michelle Mountjoy

Michelle.mountjoy@epa.ohio.gov

- How to receive listserv

<http://ohioepa.custhelp.com/ci/documents/detail/2/subscriptionpage>