



Re: Interested Party Review – Construction and Demolition Debris Rules

Dear Interested Parties:

The Division of Solid and Infectious Waste Management is in the process of conducting a review of the regulations for construction and demolition debris facilities. This review is being conducted to satisfy requirements mandated by Ohio Revised Code (ORC) Section 119.032 which requires all state agencies to review each of their rules every five years to determine whether or not to continue the rules without change, amend the rules, or rescind the rules.

Please note that as part of DSIWM's rule reorganization efforts, several "multi-program chapters" are referenced throughout the rules. These multi-program chapters consolidate requirements, such as licensing and financial assurance, that apply to many different facilities, including construction and demolition debris facilities. Ohio EPA prepared a guidance document titled "Guide to Reviewing the Draft Multi-Program Rules" explaining the organization of all chapters and providing examples of how they reference each other. A guidance document outlining the changes to the construction and demolition debris rules is also available. We strongly recommend you read the guidance document attached prior to reviewing the rules.

The Division of Solid and Infectious Waste Management (DSIWM) revised the Construction and Demolition Debris Rules as follows:

<u>Rule #</u>	<u>Title:</u>
3745-400-07	Facility design requirements and construction specifications.
3745-400-08	Construction and final closure certification.
3745-400-09	Site characterization.
3745-400-10	Applicability and implementation of the ground water monitoring program.
3745-400-11	Operation of facilities.
3745-400-12	Final closure of facilities.
3745-400-13	Financial assurance for construction and demolition debris.
3745-400-14	Wording of the financial instruments.

The Division of Solid and Infectious Waste Management (DSIWM) created the new Construction and Demolition Debris Rules as follows:

<u>Rule #</u>	<u>Title:</u>
3745-400-16	Post-closure care of a construction and demolition debris facility.
3745-400-17	Procedures for issuance of an order extending the post-closure care period.
3745-400-18	Financial assurance for post-closure care of construction and demolition debris facilities.
3745-400-19	Post-closure care certification report.

In addition to the rule reorganization, changes in content are being proposed. The following is a list of major changes to these rules:

Where can I get a copy of the draft rules?

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You may view the draft rule at http://www.epa.ohio.gov/dsiwm/pages/draft_rule.aspx, or call (614)644-2621 to obtain a copy.

When are my comments due?

Please submit your comments by **(DATE)**.

Where should I send my comments?

Please send your comments to:

Michelle Braun
Ohio EPA, DSIWM
PO Box 1049
Columbus, OH 43216-1049

You may also send your comments by fax at (614)728-5315 or e-mail Michelle.braun@epa.oh.gov

Who can I talk to about the rules?

For questions regarding the rule language or review schedule, you may contact Michelle Braun at michelle.braun@epa.oh.gov. Please include a phone number where you can be contacted during the hours of 8:00 am to 5:00 pm.

What should I consider as I prepare my comments?

You may find the following suggestions helpful for preparing your comments:

1. Explain your views as clearly as possible.
2. Describe any assumptions that you used.
3. Provide any technical information and/or data you used that support your views.
4. If you estimate potential burden or costs, explain how you arrived at your estimate.
5. Provide specific examples to illustrate your concerns.
6. Offer alternatives.
7. Make sure to submit your comments by the comment period deadline.

Thank you for your interest and we look forward to hearing from you.

Sincerely,

Pamela S. Allen, Chief
Division of Solid and Infectious Waste Management