

**BEFORE THE  
OHIO ENVIRONMENTAL PROTECTION AGENCY**

**Public Notice  
Proposed Rulemaking Governing  
Construction and Demolition Debris**

Notice is hereby given that the Director of Environmental Protection, under the authority of Sections 3714.02 of the Ohio Revised Code and in accordance with Chapter 119, proposes to original file the following rule of the Ohio Administrative Code:

**3745-400-12            Final closure of facilities.**

This rule address construction and demolition debris regulations.

The purpose of this rule making is to establish an additional time frame for placing a cap system in the case that a construction and demolition debris (C&DD) facilities license has been revoked or denied, allowing for postponement of cap placement for Environmental Review Appeals Commission (ERAC) appeal, if ERAC deems that a prior hearing had not been held.

The public comment period will run until February 15, 2006. A public hearing on this proposed rule making will be held to consider public comments in accordance with Section 119.03 of the Ohio Revised Code. This hearing will be held at Ohio EPA, Conference Room C, 5th floor, 122 S. Front St., Columbus, OH 43215, on February 15, 2006 at 2:00pm.

To facilitate the scheduling of oral presentations, persons intending to give testimony at the hearing should notify the Ohio EPA Public Interest Center, P.O. Box 1049, Columbus, Ohio 43216-1049, (614) 644-2160. 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 sent to the attention of Mandi Graham at the Division of Solid and Infectious Waste Management (DSIWM), P.O. Box 1049, Columbus Ohio 43216-1049. 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 15, 2006, will be considered by Ohio EPA prior to final action on this rule making proposal. Written comments submitted after this date may be considered as time and circumstances permit.

Questions regarding this rule package should be directed to Mandi Graham at (614) 728-5372.

To receive a copy of the proposed rules, please contact the DSIWM 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 DSIWM web page at: [http://www.epa.state.oh.us/dsiwm/pages/draft\\_rule.html](http://www.epa.state.oh.us/dsiwm/pages/draft_rule.html).