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3745-520-320 Alteration of a permit to install.

[Comment: Pursuant to rule 3745-520-03 of the Administrative Code, no person shall alter the design of a C&DD facility without first obtaining concurrence from the concurring authority for an alteration of the permit to install for the facility except for alterations made during construction as provided for in Chapter 3745-512 of the Administrative Code.]

(A) A permittee may request that the concurring authority concur with an alteration of the permit to install for the C&DD facility.

(B) Content requirements for a request to alter a permit to install. A request to alter a permit to install shall at a minimum contain the following:

(1) The information necessary to demonstrate the following:

(a) The alteration is at least equivalent to applicable rule requirements of this chapter.

(b) The request is not a modification of the C&DD facility.

(c) The alteration is compatible with the unaltered requirements of the permit to install.

(d) The alteration of the C&DD facility will not violate Chapters 3704., 3714., 3734., or 6111. of the Revised Code or rules adopted under those chapters.

(e) That other approvals and authorizations including but not limited to approvals and authorizations issued pursuant to Chapters 3704. and 6111. of the Revised Code made necessary by the alteration have been obtained.

(f) The alteration of the facility design plan does not also cause a modification of the license, unless a modification request for the license is submitted concurrently.

(2) The following information describing the alteration, with revisions clearly identified:

(a) A copy of the index of alterations required by paragraph (B) of this rule.

(b) A narrative description of the alteration being requested.

(3) As needed, the following portions of the facility design plan that conform to rule 3745-520-302 of the Administrative Code:

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- (a) Revised plan drawings.
 - (b) Revised cross sections.
 - (c) Revised detail drawings.
 - (d) Additional drawings necessary to depict changes to the C&DD facility proposed in the alteration request.
 - (e) Revised or additional design calculations.
 - (f) Revised or additional construction, testing, verification, and certification requirements that are not otherwise required by rule that are necessary to ensure that the engineered components affected by the alteration request are constructed to conform to the facility design plan.
 - (4) An exemption request if an exemption would be necessary for concurrence with the alteration, unless the exemption request was submitted prior to submittal of the alteration request.
 - (5) Any other information requested by Ohio EPA or the approved board of health that is necessary to determine whether the alteration conforms to this rule.
- (C) Permittee procedures.
- (1) A permit to install alteration request and subsequent revisions to the request shall be submitted in triplicate to the concurring authority. Each revised page or drawing shall contain the date of the revision. Revisions to the request shall be accompanied by the following:
 - (a) An index listing each change and the page where each change occurred.
 - (b) For plan drawings, a schedule on the drawing indicating what has changed.
 - (2) If the approved board of health is the concurring authority, the permittee shall notify Ohio EPA of the submittal of a permit to install alteration request concurrent to initially submitting the request to the approved board of health. The notification shall be in writing and shall contain sufficient detail to understand the scope and nature of the alteration request.
 - (3) Upon request from Ohio EPA or the approved board of health, the permittee shall submit additional and identically complete copies of the alteration request.
 - (4) If the alteration is concurred with by the concurring authority, the permittee shall do the following:

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(a) Insert the revised drawings and other information that were stamped by and received from the concurring authority into the appropriate place in the permit to install.

(b) Update the index of alterations required by paragraph (B) of this rule.

(D) Concurring authority procedures.

(1) The concurring authority may decline to concur with an alteration to a permit to install.

(2) Except as provided for in rule 3745-512-51 of the Administrative Code, the concurring authority shall not concur with an alteration if that alteration has already occurred at the C&DD facility.

(3) The concurring authority shall not concur with an alteration unless the concurring authority determines that the following criteria are satisfied:

(a) The permittee has demonstrated compliance with paragraph (C) of this rule.

(b) The alteration will not interfere with the permittee's, owner's, or operator's ability to construct, operate, and close the C&DD facility and maintain the facility during the post-closure care period in accordance with this chapter and with the terms and conditions of the permit to install.

(c) If an exemption is necessary for concurrence with the alteration, the exemption has been issued in accordance with rule 3745-520-20 of the Administrative Code prior or concurrent to concurrence with the alteration.

(4) When determining whether to concur with an alteration the concurring authority may consider the following:

(a) The impact the alteration may have on corrective actions that are presently being taken, or that are proposed to be taken at the C&DD facility or in the immediate area, including but not limited to corrective actions pertaining to fire, gas, odors, or ground water contamination.

(b) The technical feasibility of adequately monitoring the impact of the C&DD facility on the environment.

(c) The owner's and operator's compliance with Chapter 3714. of the Revised Code and the rules adopted thereunder and authorizing documents.

(5) Upon concurrence with an alteration, the concurring authority shall stamp the copies of the alteration request and the associated drawings and information with the word "Altered," the permit number, and the date of concurrence.

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(6) Copies of the signed concurrence letter and stamped copies of the alteration request and associated drawings and information shall be retained and distributed by the concurring authority pursuant to rule 3745-500-130 of the Administrative Code.