

***** DRAFT – NOT FOR FILING *****

3745-520-335

Modification of a permit to install to change a term or condition of a permit to install.

(A) A permittee may request that the permitting authority modify a term or condition of the C&DD facility's permit to install.

(B) Permittee procedures.

- (1) The permittee shall submit a request to modify a term or condition of a permit to install to the approved board of health or to the director in the absence of an approved board of health.
- (2) If the permittee submits a permit to install modification request to the approved board of health, the permittee shall notify Ohio EPA of the submittal of the modification 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 modification request.
- (3) Upon request from Ohio EPA or the approved board of health, the permittee shall submit additional and identically complete copies of the modification request.
- (4) If the permitting authority approves the request, the permittee shall retain a copy of the approval letter with the approved permit to install.

(C) Permitting authority procedures.

- (1) The permitting authority may decline to modify a term or condition of a permit to install.
- (2) When approving a request to modify a term or condition of a permit to install, the permitting authority shall follow the appropriate procedures set forth in rule 3745-500-120 of the Administrative Code and any other applicable procedures set forth in the Revised Code.
- (3) To approve a request to modify a term or condition of a permit to install, the permitting authority shall issue an approval letter to the permittee. The approval letter shall contain the following:
 - (a) The name and location of the C&DD facility for which the approval is being issued.
 - (b) Identification of the term or condition of the permit to install that is being modified.
 - (c) The new term or condition that will supersede the original term or condition.

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(d) A notice of appeal rights.

(e) The signature of the health commissioner, if the approved board of health is the permitting authority.

(4) The permitting authority shall retain and distribute copies of the signed approval letter pursuant to rule 3745-500-130 of the Administrative Code.