

**\*\*\* DRAFT – NOT FOR FILING \*\*\***

3745-520-340

Transfer of a permit to install.

(A) A permittee may request that the permitting authority approve transfer of the permit to install for the C&DD facility. A permit to install transfer shall not be effective unless approved by the permitting authority.

(B) Permittee and transferee procedures.

(1) Not later than one hundred twenty days prior to the proposed date of a permit to install transfer, the permittee for a C&DD facility shall submit a written request for transfer in triplicate to the approved board of health or to the director in the absence of an approved board of health. A request shall include the following information:

(a) Facility name and location.

(b) The name, mailing address, and contact information of the permittee.

(c) The names, mailing addresses, and contact information of the proposed transferee and key employees of the proposed transferee.

(d) The proposed transferee's statement of intent to assume the permittee's obligations.

(e) A notarized written statement from each titleholder of each tract of land on which the facility is located that each titleholder acknowledges that the permittee intends to transfer the permit to install to the proposed transferee.

(2) If the permittee submits a request to the approved board of health to transfer a permit to install, the permittee shall notify Ohio EPA of the submittal of a request to transfer a permit to install concurrent to initially submitting the request to the approved board of health. The notification shall be in writing and shall contain the name and location of the C&DD facility for which the permit to install is proposed to be transferred, the identity of the proposed transferee, and the reason for the transfer.

(3) Not later than one hundred twenty days prior to the date of the proposed acquisition of the C&DD facility by the proposed transferee, the proposed transferee shall comply with division (D) or (F) of section 3714.052 of the Revised Code. Compliance with division (D) or (F) of section 3714.052 of the Revised Code includes providing compliance disclosure information regarding key employees of the proposed transferee. The proposed transferee shall submit the statement described in and signed in accordance with rule 3745-500-50 of the Administrative Code when submitting the compliance disclosure information.

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(4) Upon request from Ohio EPA or the approved board of health, the permittee shall submit additional and identically complete copies of the request to transfer a permit to install.

(C) Permitting authority procedures.

(1) When approving or denying the transfer 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.

(2) Not later than one hundred twenty days after receiving the request as described in paragraph (B) of this rule, the permitting authority shall approve or deny the transfer. The permitting authority may deny the transfer of the permit to install for any of the reasons specified in division (B) of section 3714.052 of the Revised Code.

(3) Upon approving or denying the transfer of a permit to install, the permitting authority shall retain and distribute copies of the signed approval or denial letter pursuant to rule 3745-500-130 of the Administrative Code.

(4) Concurrent to approving a transfer of a permit to install, the permitting authority shall administratively change the permit to install in accordance with rule 3745-500-360 of the Administrative Code to update the administrative information in the permit to install. Copies of the administratively changed permit to install shall be distributed in accordance with rule 3745-500-130 of the Administrative Code.