

*** DRAFT – NOT FOR FILING ***

3745-520-690

Certification of material by C&DD transfer facilities and documentation from railroads.

(A) Certification by an owner or operator of a facility that transfers C&DD.

(1) An owner or operator of a C&DD facility may request an owner or operator of a facility that transfers C&DD to certify that material being transferred from the transfer facility to the C&DD facility is not any of the following:

(a) Off-specification material.

(b) Hazardous waste.

(c) Solid waste.

(d) Infectious waste.

(e) Low-level radioactive waste for which treatment, recycling, storage, or disposal is regulated under division (B) of section 3748.10 of the Revised Code.

(2) Forms for certification of material from a facility that transfers C&DD.

(a) An owner or operator of a C&DD facility choosing to request that an owner or operator of a facility that transfers C&DD certify material in accordance with paragraph (A)(1) of this rule shall use a form prescribed by the director. When requesting an owner or operator of a facility that transfers C&DD to certify material, the owner or operator shall provide the form to the owner or operator of the transfer facility. The owner or operator of the C&DD facility shall make completed certification forms available upon the request of Ohio EPA or the approved board of health.

(b) The director may include instructions and places to record the following information on the prescribed certification forms:

(i) General information about the C&DD facility.

(ii) General information about the facility that transfers C&DD.

(iii) Certification information pursuant to paragraph (A)(1) of this rule.

(B) Documentation from railroads.

(1) If material is transported to a C&DD facility by a railroad that is regulated under U.S.C. Title 49, Transportation as described in rule 3745-500-03 of the

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Administrative Code, an owner or operator of a C&DD facility may request the railroad operator to provide either of the following:

(a) A bill of lading, or a copy of a bill of lading, from the shipper of the material.

(b) Written information indicating that the railroad did not process or add to the material.

(2) An owner or operator of a C&DD facility choosing to request that a railroad operator provide information in accordance with paragraph (B)(1) of this rule shall make available all bills of lading or written information upon the request of Ohio EPA or the approved board of health.

(C) Information provided in accordance with paragraph (A) or (B) of this rule shall not alleviate an owner or operator of a C&DD facility from the obligation to comply with the authorized materials requirements of paragraph (A) of rule 3745-520-600 and the unauthorized materials requirements of rule 3745-520-630 of the Administrative Code.