



Division of Solid and Infectious Waste Management

Summary of General Requirements and Obligations of OAC Chapter 3745-520 “Regulation of New Construction and Demolition Debris Facilities”

Does Chapter 3745-520 “Regulation of New Construction and Demolition Debris Facilities” apply to me?

- OAC Chapter 3745-520 DOES NOT APPLY to an existing C&DD facility that will be filled up and closed without expanding the existing facility boundary or existing disposal limits.
- OAC Chapter 3745-520 DOES APPLY to an owner or operator of a “new C&DD facility”; the statutory term “new C&DD facility” includes a proposed C&DD facility that has never existed before and an existing C&DD facility where the owner or operator wants to expand the facility. Such expansion of an existing facility includes any expansion of the facility boundary or disposal limits beyond the approved limits of construction and demolition debris placement.

Where are the general requirements and obligations for new C&DD facilities found?

The general requirements and obligations for new C&DD facilities are found in seven rules at the beginning of OAC Chapter 3745-520 from OAC rules 3745-520-01 to 3745-520-70.

What are the general requirements and obligations for new C&DD facilities?

Applicability – OAC rule 3745-520-01 describes who has to comply with OAC Chapter 3745-520.

Definitions – OAC rule 3745-520-02 contains the definitions that are used in OAC Chapter 3745-520. The definitions in OAC rule 3745-520-02 apply only to new C&DD facilities.

OAC rule 3745-520-02 also references to definitions in rule 3745-500-02 because those definitions also apply to new C&DD facilities if the defined words or phrases are used. However, the definitions in OAC rule 3745-500-02 also apply to other types of regulated facilities. Definitions that apply to more than one type of regulated facility were put into OAC rule 3745-500-02 so that they could be easily referenced by any chapter that needed them.

General Obligations – OAC rule 3745-520-03 contains the requirements and prohibitions for such things as needing a permit and license before establishing or operating a new C&DD facility; requirements for complying with authorizing documents and plans; general requirements for maintaining the integrity of engineered components, prohibition on falsifying information, the obligation to comply with operator certification requirements when they become available, and other similar requirements.

Authorized, limited, and prohibited disposal methods – OAC rule 3745-520-04 prohibits illegal disposal of C&DD and describes legal C&DD disposal methods.

Ground Water Monitoring – OAC rule 3745-520-06 requires new C&DD facilities to conduct ground water monitoring in accordance with OAC Chapter 3745-506, and describes the timing for upgrading ground water monitoring systems when a permit is issued for a new C&DD facility that existed before the new permit was issued.

Exemptions – OAC rule 3745-520-20 the procedures and requirements for the approved board of health or director to issue exemptions to the rule requirements.

Contents of the log of operations – OAC rule 3745-520-30 describes the types of information the director may include in a form prescribed to be used as the log of operations for a new C&DD facility.

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Contents of an application cover sheet form – OAC rule 3745-520-40 describes the types of information the director may include in a form prescribed to be used as the cover sheet for different types of applications that are submitted by owners or operators of new C&DD facilities.

Ground water monitoring fee – OAC rule 3745-520-50 is the rule that implements the fee that is collected from all C&DD facilities for the purpose of providing funds for the approved boards of health or Ohio EPA to conduct ground water monitoring at certain C&DD facilities. This rule became effective on November 1, 2007, so it is not in the draft rule package.

Sharing of C&DD disposal fees by host communities – OAC rule 3745-520-51 describes how the C&DD fees collected by the owners or operators of all C&DD facilities are to be split when the C&DD facility exists in more than one township, municipality, or county.

Compliance disclosure requirements – OAC rule 3745-520-70 contains the requirements for submitting information about compliance histories when a new key employee is hired by a new C&DD facility.