



On-Site Disposal of Construction and Demolition Debris

State law (Ohio Revised Code §3714) requires that construction and demolition debris (C&DD) be disposed of at a licensed C&DD facility, with a few exceptions.

Construction Debris Exclusion

Construction debris and trees and brush removed in clearing a construction site can be used as fill material on the site where the materials are generated, without being regulated as a C&DD disposal facility (Ohio Revised Code §3714.01(F)). This construction debris exclusion does not cover the burying of construction materials which were not generated on the site of disposal.

Clean Hard Fill Exclusion

In addition to the exclusion of on-site burial of construction debris, "clean hard fill" materials (reinforced or nonreinforced concrete, asphalt concrete, brick, block, tile, and stone) may be used on site in legitimate fill operations for construction purposes or to bring the site up to a consistent grade (Ohio Revised Code §3714.01(F)). Clean hard fill does not include any materials which are contaminated with hazardous, solid or infectious wastes. Clean hard fill can also be used off site in legitimate fill operations for construction purposes or to bring the site up to a consistent grade, if the person burying the materials notifies the local C&DD program licensing authority at least seven days before beginning filling activities (Ohio Revised Code §3714.13(F)). See Ohio Administrative Code 3745-400-05 and DMWM's *Clean Hard Fill* fact sheet for more information.

Demolition Debris Must Be Placed In a Licensed Facility

Noticeably absent from the exclusion is demolition debris. All debris from the demolition of any manmade structure must be disposed of at a licensed construction and demolition debris facility. Ohio Revised Code §3714.04 does allow the licensing authority (Ohio EPA, or an Ohio EPA approved local health department), to issue limited exemptions to the law and rules. An exemption allowing the on-site burial of demolition debris could be granted by the licensing authority as long as the individual requesting the exemption can prove that the burial of demolition debris is unlikely to have any adverse public health, safety or environmental effects, and the site is not above a sole source aquifer.

Contact Your Local Authorities

While the law does allow the burial of construction debris on the property where it was generated and allows the burial of clean hard fill as long as a Notice of Intent to Fill has been filed, local regulations (such as zoning codes) may prohibit such activities. To avoid any potential conflicts with local rules, please be sure to check with your local board of health, zoning office, or other applicable authority before you bury any debris or waste materials on your property or any other property.

If you have questions regarding the construction and demolition debris rules, please contact your local health department or Ohio EPA district office.

Central District Office DMWM Supervisor (614) 728-3778

Northeast District Office DMWM Supervisor (330) 963-1200

Northwest District Office DMWM Supervisor (419) 352-8461

Southeast District Office DMWM Supervisor (740) 385-8501

Southwest District Office DMWM Supervisor (937) 285-6357

Central Office Processing and Engineering Unit (614) 644-2621