

## Ohio EPA Drafts Residual Waste Rules

The Division of Solid and Infectious Waste Management (DSIWM) is in the process of conducting a review of the rules governing the disposal of residual solid wastes specific to the disposal of wastes generated during the manufacture of clay and shale products. DSIWM has reviewed and drafted new language for the following residual solid waste rules:

- OAC Rule 3745-30-01 Definitions
- OAC Rule 3745-30-03 Residual waste characterization
- OAC Rule 3745-30-04 Residual waste landfill classification
- OAC Rule 3745-30-08 Ground water monitoring program
- OAC Rule 3745-30-14 Operation of residual waste landfill facilities

The following is a list of significant changes to these rules. This list is not comprehensive, so please see the draft rules for all changes:

- Created an additional definition of residual solid waste to incorporate wastes generated from the manufacture of clay and shale products [Draft OAC Rule 3745-30-01(B)(8)]. This change will provide additional disposal options to manufacturers of clay and shale products. Currently, these wastes must be disposed of in accordance with the municipal solid waste regulations found in OAC Chapter 3745-27 or the industrial solid waste regulations found in OAC Chapter 3745-29.
- Moved the paragraph that explains that residual solid waste landfills may accept additional residual solid waste from other sources or generators as long as the additional residual solid waste characterization shows it is appropriate for that class of residual solid waste landfill from OAC Rule 3745-30-01(B) to the waste acceptance requirements in OAC Rule 3745-30-14(E)(7). This change places the paragraph in a more appropriate location, but does not change the requirement.
- Created waste characterization requirements for wastes generated from the manufacture of clay and shale products [Draft OAC Rule 3745-30-03(A)(8)]. Under the proposed rules, clay and shale product waste can be characterized to determine which class of residual solid waste landfill is appropriate. Selection of parameters for waste characterization was made based on the information provided by clay and shale product manufacturers and research of the industry conducted by Ohio EPA.
- Added seven parameters to Appendix I of OAC Rule 3745-30-04. These seven parameters were added based on the information provided by clay and shale product manufacturers and research of the industry conducted by Ohio EPA.
- Amended Appendix III of OAC Rule 3745-30-08 to establish ground water monitoring parameters for residual solid waste landfills containing wastes generated from the manufacture of clay and shale products. Selection of parameters for background and annual ground water monitoring was made based on the information provided by clay and shale product manufacturers and research of the industry conducted by Ohio EPA. The proposed ground water monitoring requirements were created to ensure that ground water monitoring will be able to detect if a release occurs from a landfill containing clay and shale product wastes.
- Amended OAC Rule 3745-30-14(E)(7)(e) to place additional dust minimization requirements on dusty materials that contain substances, such as silica and cobalt dust, that may pose a threat to human health or safety or the environment. These new requirements were established based on research that indicated some

clay and shale product wastes could potentially consist of dusts that contain substances that pose inhalation risks. Under the proposed requirements, dusty materials must be managed in a manner that minimizes the amount of dust generated during the disposal process.

- Amended OAC Rule 3745-30-14(F)(2) to require daily cover at a landfill containing wastes generated from the manufacture of clay and shale products on a site specific basis as determined by the director when reviewing a PTI or license application. This rule was amended based on research that indicated some clay and shale product wastes could potentially consist of dusts that contain substances that pose inhalation risks. Applying daily cover is one dust minimization method.
- Changed reference in paragraph (C) of 3745-30-04 from paragraph (B) of 3745-30-06 to (G) and (H) of 3745-30-06. This rule was amended to correct an incorrect rule reference that was a remnant of a previous version of this rule.
- Deleted references to “or his authorized representative” because OAC Rule 3745-27-01 already states that “director” means the director of Ohio EPA or the director’s authorized representative.
- Replaced “ground-water” with “ground water” in paragraphs (B)(5) and (C)(2) of 3745-30-08.
- Incorporated other minor changes to comply with LSC format requirements.

DSIWM seeks your input on these draft rules by November 4, 2005. Please submit your comments to:

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