

\*\*\* DRAFT - NOT YET FILED \*\*\*

TO BE RESCINDED

3745-42-01            **Definitions.**

Unless otherwise defined in this rule, the definitions in section 6111.01 of the Revised Code shall apply to this chapter.

- (A) "Applicable laws" means any applicable provisions of Chapter 6111. of the Revised Code and rules promulgated thereunder, the federal water pollution control act (33 U.S.C. sections 1251 et seq., as amended through July 1, 2003) and 40 CFR Chapter I, subchapters D and N (effective July 1, 2003).
- (B) "Applicant" means the person applying for the permit to install or plan approval.
- (C) "ASTM" means the American society for testing and materials. ASTM test methods referenced in this chapter are generally available in public libraries or from ASTM International, 100 Barr Harbor Drive, P.O. Box C700, West Conshohocken, PA 19428-2959, at 610/832-9555, or on the World Wide Web at ASTM.org.
- (D) "ASTM C117" means an American society of testing and material (ASTM) standard test method for materials finer than seventy-five-micrometers (No. 200) sieve in mineral aggregates by washing, as that standard was approved by ASTM on March 15, 1995.
- (E) "ASTM C136" means an American society of testing and material (ASTM) standard test method for sieve analysis of fine and coarse aggregates, as that standard was approved by ASTM on June 10, 2001.
- (F) "ASTM D451" means an American society of testing and material (ASTM) standard test method for sieve analysis of granular mineral surfacing for asphalt roofing products, as that standard was approved by ASTM on March 15, 1991.
- (G) "ASTM D4318" means an American society of testing and material (ASTM) standard test methods for liquid limit, plastic limit, and plasticity index of soils, as that standard was approved by ASTM on June 10, 2000.
- (H) "Coal waste" means residuals and earthen materials, in dry or slurry form, which are removed or otherwise separated from the product coal after physical or chemical processing, cleaning or concentrating of coal. Coal waste does not include post-combustion materials that are fly ash, bottom ash, flue gas desulfurization waste or fluidized bed desulfurization wastes, and also does not include materials

that are regulated as "solid waste," "infectious waste" or "hazardous waste" as those terms are defined in Chapter 3734. of the Revised Code.

- (I) "Coal waste facility" means a disposal facility where fine coal waste is dewatered and disposed of in a slurry impoundment or where fine or coarse coal waste is disposed of in a dry placement area. Coal waste facility does not include any facility that is used for the temporary holding or treatment of liquid wastes.
- (J) "Coal mining operations" means any coal mining activity which is defined in division (H) of section 1513.01 of the Revised Code as coming under the jurisdiction of the chief of the division of mineral resource management under Chapter 1513. of the Revised Code.
- (K) "Complete," in reference to an application for a permit, means that the application contains all the information necessary for processing the application. Designating an application complete for purposes of permit processing does not preclude the director from requesting or accepting any additional information.
- (L) "Director" means the director of the Ohio environmental protection agency.
- (M) "Holding tank" means any device that is not part of a larger disposal system and that is used to accumulate or store sewage or industrial waste that: (1) is not hazardous waste as defined by rule 3745-51-03 of the Administrative Code and (2) must be hauled for recycling, treatment or disposal. Holding tank does not include such a device in a fixed location that is connected by pipe or hose to a disposal system.
- (Comment: A tank used for flow equalization, septage receiving at a treatment works or sludge holding at a treatment works is not considered a holding tank. These tanks are part of a larger disposal system.)
- (N) "H2O Loading" is defined by figure 3.7.6A of the 17th edition of "AASHTO Standard Specifications for Highway Bridges," copyright 2002. This publication is available from the American association of state highway and transportation officials, 444 North Capitol Street N.W., Suite 249, Washington, DC 20001, telephone (202) 624-5800, fax (202) 624-5806, web page <http://www.transportation.org/aashto/home.nsf/FrontPage>.
- (O) "Industrial waste" means industrial waste as it is defined in section 6111.45 of the Revised Code.
- (P) "Install" or "installation" means to begin actual construction, erect, locate or affix any treatment works or disposal system.

(Q) "Modify" or "modification" means any physical change in, or change in the method of operation of, a treatment works or disposal system to allow it to process water pollutants:

- (1) In materially increased quantities;
- (2) Of a materially different character; or
- (3) In materially higher concentrations.

The addition of new connections to a public sewage system shall not be considered a modification of the sewage system.

(R) "New source" means any disposal system for which an owner or operator undertakes a continuing program of installation or modification or enters into a binding contractual obligation to undertake and complete, within a reasonable time, a continuing program of installation or modification, after January 1, 1974, and that at the time of installation or modification would have otherwise been subject to the provisions of this chapter.

(S) "Occupied building" means any building that is regularly occupied by people, is owned by a person other than the owner of the disposal system, and is located on a plat of land separate from the plat of land on which the disposal system is installed or operated.

(T) "Ohio EPA" means the Ohio environmental protection agency or its director, as the context or other law or regulations may require.

(U) "Water pollutant" means any sewage, industrial waste or other waste, as defined by section 6111.01 of the Revised Code.

Effective:

R.C. 119.032 review dates:

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Certification

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Date

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