

3745-599-20

**Beneficial use and harbor sediment authorization - prohibitions.****(A) ~~No~~ Beneficial use prohibitions.**

~~(1)~~ (1) No person shall beneficially use a beneficial use byproduct except as authorized in accordance with this chapter.

~~(2)~~ (2) Except in accordance with an effective national pollutant discharge elimination system permit, no person shall place or cause to be placed a beneficial use byproduct in a location where it results in a discharge to waters of the state.

~~(3)~~ (3) Except as authorized by section 6111.32 of the Revised Code and in accordance with a water quality certification issued under Chapter 3745-32 of the Administrative Code, and a permit issued under 33 U.S.C. 1344, as described in rule 3745-599-03 of the Administrative Code, if applicable, no person shall beneficially use a beneficial use byproduct by placing the beneficial use byproduct into waters of the state.

~~(4)~~ (4) No person shall beneficially use, manage, or store a beneficial use byproduct in a manner or location where the beneficial use may endanger public health, safety, or the environment.

~~(5)~~ (5) No person shall beneficially use, manage, or store a beneficial use byproduct in a manner or in a location that creates a nuisance, or causes or contributes to water pollution or air pollution.

~~(6)~~ (6) No person shall conduct, permit, or allow disposal of a beneficial use byproduct unless authorized by this chapter or by Chapter 3704., 3734., or 6111. of the Revised Code. In the event that any of these activities occur, or have occurred at a property, the person responsible for the activity, the owner of the property, or the person who allows or allowed the activity to occur, shall promptly remove and dispose or otherwise manage the beneficial use byproduct in accordance with Chapters 3734. and 6111. of the Revised Code, and shall submit verification to Ohio EPA that the beneficial use byproduct has been properly managed.

**(B) No person shall use, manage, or place lake Erie dredge in any location except in accordance with this chapter or as authorized under section 6111.33 of the Revised Code.**

Effective:

Five Year Review (FYR) Dates: 11/29/2018

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Certification

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Date

Promulgated Under: 119.03  
Statutory Authority: 3734.02, 3734.03, 6111.03, 6111.035, 6111.04, 6111.32, 6111.34  
Rule Amplifies: 3734.02, 3734.03, 6111.03, 6111.035, 6111.04, 6111.32, 6111.33, 6111.34  
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