



Guide to Environmental Permitting in Ohio



Division of Environmental and Financial Assistance
Office of Compliance Assistance and Pollution Prevention

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Guide to Environmental Permitting in Ohio

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Introduction

If you are starting or expanding a business in Ohio, it is important to determine whether you need environmental permits. Failure to understand and comply with the Ohio Environmental Protection Agency's (Ohio EPA) permitting requirements can result in violations or delays that can cost you time and money.

This guide is a starting point to help you determine what permits you need, why you need them and how to get them. However, this guide should not be your only resource in determining your permitting responsibilities. You should review the regulations and may need to work with a consultant specializing in environmental permitting.

Many businesses expect getting an environmental permit (for example, an air or water permit) is quick and easy. However, this is not always the case. Most environmental permits are written for specific sources or projects and the permitting process may take a few months. If the permit application is for a technically complex project or major emission source, it may take more time to get through the application review process.

Your project may require multiple permits. For example, if your project will have air and wastewater discharges, you may need both air and water permits from Ohio EPA. Construction activities associated with the project may require a permit for storm water management and a water quality certification if wetlands or streams will be impacted from construction. Applying for multiple permits means that you will be working with several divisions within Ohio EPA.

It is important you evaluate your environmental permitting requirements as you start planning your project. Also, talk with Ohio EPA early. We can work with you to help ensure your permitting experience goes smoothly. To get help, start by contacting your *local district office* or *Ohio EPA's Office of Compliance Assistance and Pollution Prevention*.

OHIO EPA TERMS AND ACRONYMS

This guide contains environmental terms and acronyms. For help, see the glossary in *Appendix A* and list of acronyms in *Appendix B*.

Keys to Successful Permitting

Following these simple guidelines can help avoid delays in obtaining your permit and compliance problems.

- ✓ Plan ahead.
- ✓ Meet with your *Ohio EPA district office* before you submit your applications. For air permits, you may need to work with a *local air agency* (LAA).
- ✓ Talk with the district office/LAA about time frames for the project.
- ✓ File a complete permit application.
- ✓ After submitting your permit application, keep in communication with your district office/LAA to stay updated on their progress in reviewing your application.
- ✓ Respond promptly to information requests from the district office/LAA during the review process.
- ✓ Try to avoid making significant changes to your application during the permit review process.
- ✓ **DO NOT** begin any construction activities until you get your permit, unless these activities are specifically authorized under Ohio EPA's laws or rules.
- ✓ Once you get your final permit, read and make sure you understand it.
- ✓ Comply with the terms and conditions of your final permit.

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The Permit Process

While each permit may be different, the application review process for many of Ohio EPA's permits is generally the same. This guide includes a description of common permits and the basic steps in Ohio EPA's permitting processes.

Your first point of contact for permitting is the **Ohio EPA district office** as they typically have jurisdiction over where your business is located. In some areas, a **local air agency (LAA)** is responsible for air permitting. You should meet with the local office to discuss your project **before you submit your permit applications**. This pre-application meeting is a good opportunity to discuss the project with the permit writer and get guidance on the forms and technical information you need to submit as part of the application process. You can also talk with the permit writer about any important time considerations related to your project. Knowing your project schedule up-front is helpful to the permit writer in prioritizing their workload once your application comes in for review.

Once you submit a permit application, a preliminary review is completed to make sure all necessary information is included with the application. A more in-depth technical review begins after the application is considered complete. The permit writer looks closely at all supporting information in the application (data, calculations, design drawings, etc.). The technical review can take several weeks or months, depending on the complexity of your project. Once the application is considered technically adequate, a permit recommendation is prepared by the field office for the Director of Ohio EPA. The permit is issued either as a draft permit, subject to public notice and comment, or as a final permit. Although not common, a recommendation may be made to deny a permit.

Certain types of permits are required by either law or rule to be issued as draft. In addition, if the project has a high degree of public interest, Ohio EPA may issue a permit as a draft. When a permit is issued as draft, a legal notice is published in the newspaper where the project will be located. At this point, a public comment period begins. Based on feedback during the comment period, Ohio EPA determines if there is sufficient public interest to warrant a public hearing and/or public information session.

A public information session is a panel forum where Ohio EPA staff present information concerning the draft permit and respond to questions. The session includes an overview of the permit application, review process and requirements applicable to the project (design/siting, etc.).

A public hearing is a formal session where comments are placed on the record. A stenographer records oral comments during the hearing. Written comments may also be submitted as part of the record. The testimony (also called the administrative record) is reviewed by Ohio EPA in deciding whether to issue or deny a permit. With the final permit action, Ohio EPA includes a written response to comments received.

Permit actions and adjudication: Final permit actions of the Ohio EPA Director are appealable to the **Environmental Review Appeals Commission (ERAC)**. In some instances, Ohio EPA is required to, or chooses to, provide the person subject to an action an opportunity for a prior hearing. These instances will most often involve the denial of a permit. In these cases, the Director will issue a proposed action that may be adjudicated before the Ohio EPA hearing examiner.

Ohio EPA's Public Meeting Calendar includes information about information sessions and public hearings. **Ohio EPA's Office of Legal Services** can provide valuable information regarding legal procedures.

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Commonly Asked Questions

Under what circumstances would I need a permit?

If your operation discharges pollutants to the air, land, water or sewers, you likely need a permit. In some cases, whether you need a permit depends on the type and quantity of your emissions or discharge. See the *Self-Evaluation: Do I Need a Permit?* section of this guide to help you determine if a permit is needed.

I'm still not sure if I need a permit. How can I find out?

Call the **Ohio EPA district office** that handles your area. See **Appendix C** for a map and phone numbers. You can also call **Ohio EPA's Office of Compliance Assistance and Pollution Prevention** for confidential assistance at (800) 329-7518.

I need to apply for a permit. What should I do first?

Before submitting any permit applications, you can contact your local Ohio EPA district office to set up a pre-application meeting. Depending on where the project is located, you may need to contact the **local air agency** (LAA) to discuss air permitting requirements. A lot of time and effort can be saved by discussing the requirements *before* you fill out any forms. See **Appendix C** for a map of Ohio EPA district offices and LAAs.

What about confidentiality and trade secrets?

Every permit application is a public record and available for review, upon request. If your permit application will include trade secret or confidential business information, there are procedures for keeping this information confidential. This should be discussed at the initial meeting or directly with the permit writer.

How can I get copies of the rules and permit forms?

You can get rules and permit forms from Ohio EPA's webpage. See **Appendix E** for more information, or contact your local **Ohio EPA district office** to get the appropriate application forms.

How long does it take to get a permit?

This depends on many factors. From the date you submit a complete application, you should plan on about six months to get final air and/or water discharge-related permits. Some permits, however, are processed significantly faster, especially for less complex operations. Remember that in most cases you cannot begin construction without a permit, so the best approach is to plan ahead.

How much does a permit cost?

It varies according to the type of permit. For current fees, see **Ohio EPA's Fee Schedule**.

How long does a permit last?

It depends on the type of permit, but usually five years (see individual permit sections of this guide for more information). If you are still operating and the permit is set to expire, you are required to get it renewed. Your previously issued permit will outline the timeframes when a renewal application is required. Your **Ohio EPA local district office** can also help you determine when a renewal application is due.

Should I hire a consultant to help me?

This depends on the technical skills of you and/or your staff. Some permits are simple. For those that are complex, outside help can be beneficial. Ohio EPA doesn't maintain a list or make recommendations on consulting firms to use. You should seek help from someone who specializes in the permitting area that you need assistance with (for example, air permitting, wastewater system design and installation). If you belong to a business or trade association, this may be a helpful resource in getting information on consulting resources.

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Can Ohio EPA help me with the application process?

Ohio EPA's [Office of Compliance Assistance and Pollution Prevention](#) (OCAPP) provides free and confidential assistance, will assist you with your permit applications and will walk you through the permitting process. A pre-application meeting with applicable permitting staff is also highly recommended. OCAPP staff will help to facilitate pre-application meetings. To locate your OCAPP representative, see [contact information](#) for your particular area on their [webpage](#).

Self-Evaluation: Do I need a permit?

Below are questions to help you determine if you need a permit for your project. If you answer **yes** to any of these questions, contact the [Office of Compliance Assistance and Pollution Prevention](#) for confidential help (see [Appendix C](#) for contact information).

ACTIVITY	PERMIT REQUIREMENT
<p>Do you have activities/units that discharge air pollutants? Examples include, but are not limited to:</p> <ul style="list-style-type: none"> • something that has a stack, dust collector or vent (for example, shot blasters, grinders, storage tanks); • a process using paints, solvents, adhesives or inks (for example, paint booths, printing presses, solvent cleaning tanks); • a process that burns a fuel such as oil, natural gas or coal (for example, boilers, furnaces, process heaters); or • a process that produces dust, smoke or odors (for example, incinerators, unpaved roadways, dry material handling). 	<p>Unless the specific equipment or activity is exempt, you may need an air pollution permit from Ohio EPA's Division of Air Pollution Control.</p>
<p>Will you discharge wastewater to waters of the state? Examples of waters of the state include streams, rivers, lakes, ponds, marshes, watercourses, waterways, wells springs and conveyance systems (ditches and storm drains).</p>	<p>You need a National Pollutant Discharge Elimination System (NPDES) permit from Ohio EPA's Division of Surface Water. A wastewater discharge entering a conveyance system (for example, a ditch or storm sewer) that leads to a waterway also requires an NPDES permit.</p>
<p>Are you discharging wastewater to a local wastewater treatment plant?</p>	<p>You need permission from the local wastewater treatment plant for this discharge. You may also need an indirect discharge permit from the treatment plant or Ohio EPA's Division of Surface Water.</p>
<p>Will you construct a wastewater treatment, recycle, collection or disposal system?</p>	<p>You need a permit-to-install (PTI) from Ohio EPA's Division of Surface Water.</p>
<p>Will you have an onsite sewage treatment system (for example, septic system, package plant)?</p>	<p>You need a permit-to-install (PTI) from Ohio EPA's Division of Surface Water.</p>
<p>Are you discharging any process wastewater to an underground injection well system? (This includes onsite septic systems.)</p>	<p>You need an underground injection control permit from Ohio EPA's Division of Drinking and Ground Waters. Some discharge activities are completely prohibited.</p>
<p>Will construction activity associated with the project disturb one or more acres of land? (This includes activities such as clearing, grading and excavation.)</p>	<p>You need an NPDES storm water permit for these activities from Ohio EPA's Division of Surface Water.</p>
<p>Could storm water associated with industrial activity at the facility enter sewers or surface waters?</p>	<p>A storm water discharge permit is likely needed from Ohio EPA's Division of Surface Water.</p>

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ACTIVITY	PERMIT REQUIREMENT
Will construction activity for the project impact streams or wetland areas?	You need a Section 401 certification from Ohio EPA's Division of Surface Water. You will likely need a Section 404 permit from the U.S. Army Corps of Engineers.
Do you plan to operate a landfill, transfer station or incinerator for solid, non-hazardous wastes?	You need a solid waste permit from Ohio EPA's Division of Materials and Waste Management.
Will you be treating medical or infectious waste?	You need a permit-to-install (PTI) from Ohio EPA's Division of Materials and Waste Management.
Do you want to handle scrap tires (store, transport, dispose of, recover, beneficially reuse)?	You need a scrap tire permit, license, registration and/or plan approval from Ohio EPA's Division of Materials and Waste Management.
Will you accept hazardous waste from other businesses for treatment, storage or disposal?	You need a hazardous waste permit from Ohio EPA's Division of Environmental Response and Revitalization.
Will you be demolishing or renovating any buildings?	You may be required to notify Ohio EPA's Division of Air Pollution Control or your local air agency.
Will you be constructing an on-site well to provide drinking water to employees or customers?	You are required to submit plans and obtain a permit for constructing the well from Ohio EPA's Division of Drinking and Ground Waters or from your local health department, depending on the number of people served by the system.
Will you be operating a composting facility?	You need a registration, license and/or permit (based on the classification of the facility) from Ohio EPA's Division of Materials and Waste Management.
Will you be operating a construction and demolition debris facility?	You are required to obtain a license to operate from the appropriate licensing authority for your area (either the local health department or Ohio EPA).

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Air Pollution

Permit-to-Install and Permit-to-Install and Operate

Who must apply?

Air pollution permits are required for air contaminant sources. An air contaminant source is anything that emits an air pollutant. This covers many different types of activities, and four rules of thumb can often help in identifying an air contaminant source:

- something that has a stack, dust collector or vent (for example, shot blasters, grinders, storage tanks);
- a process that uses paints, solvents, adhesives or inks (for example, paint booths, solvent tanks, printing presses);
- a process that burns a fuel such as oil, natural gas or coal (for example, boilers, furnaces, process heaters); or
- a process that produces visible dust, odors or smoke (dry material handling, unpaved roadways and incinerators).

APPLICABLE LAWS AND RULES

- ✓ [Clean Air Act](#)
- ✓ [40 CFR Parts 60, 61 and 63](#)
- ✓ ORC Chapters [3704](#) and [3745](#)
- ✓ OAC Chapters [3745-15](#), [3745-31](#), [3745-77](#)

What air permits are required?

Your business may have any number of sources. Each source must have a permit unless it is specifically exempt. The type of air permit you need depends on the total amount of emissions from your facility. Large emitters (100 tons or more of emissions per year) need a permit-to-install (PTI) before the installation of an air contaminant source and a Title V operating permit for continual operation. Small emitters (less than 100 tons per year) need only a permit-to-install-and-operate (PTIO), which covers both the installation and continued operation of an air contaminant source. A PTI or PTIO is also required before expanding or modifying an existing source. The terms and conditions of the permits will include emission limits. In addition, they will outline specific monitoring, operating conditions, record-keeping and testing requirements for the source.

NOTE

If you are already operating your business and discover that you need an air permit, you must still complete and submit a PTI or PTIO application.

Does every air contaminant source need a permit?

No. There are exemptions from air permitting requirements:

De minimis air pollution sources (see [OAC rule 3745-15-05](#)) — De minimis sources are those that emit less than 10 pounds per day of any air contaminant and less than one ton per year (2,000 pounds) of any hazardous air pollutant or combination of hazardous air pollutants. Typically, an emission calculation is required to document whether the *potential emissions* (if the source operated at its maximum capacity for 24 hrs/day) or *actual emissions* (at normal operation) are below 10 pounds per day. If you claim a de minimis exemption based on actual emissions, you must keep records to document actual daily emissions from the source.

Permanent exemptions [see [OAC 3745-31-03\(A\)\(1\)](#)] — This regulation lists more than 60 types of sources that are exempt from permitting. Examples include small boilers, detergent-based parts washers, small storage tanks and other sources having minimal air emissions or meeting certain size criteria. If you are claiming a de minimis or a permanent exemption, no notification to Ohio EPA is required.

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Permit-by-rule [see [OAC 3745-31-03\(A\)\(4\)](#)] — A permit-by-rule (PBR) is an option for categories of small emission sources, such as gas stations, auto body shops, emergency power generators and printers. Under the PBR, a business is not required to get a PTIO for the source, but must follow all the requirements in the PBR rules including meeting emission limits, operational restrictions and record-keeping and reporting requirements. The PBR requires a simple, one-page notification to Ohio EPA. The company must ensure the air pollution source continually meets all the PBR requirements. If the air pollution source ceases to comply with the conditions of the PBR, a regular PTI or a PTIO is required.

How long is the permit valid?

A PTI or PTIO allows 18 months to begin construction of the source. If construction isn't started by this time, the permit expires. This deadline may be extended by up to 12 months if a request for an extension is submitted through an administrative modification request within a reasonable time before the termination date and you can demonstrate good cause for any such extension. PTIOs are valid for five to 10 years and are renewable.

How do I submit a permit application?

A non-Title V facility can submit a hard copy permit application to your Ohio EPA district office or local air agency or apply online using the Air Services application through [Ohio EPA's eBusiness Center](#). Title V and synthetic minors must use Air Services to submit permit applications. To find the Ohio EPA district office or local air agency that handles air permitting for your area, refer to [Appendix C](#) of this guide.

Can I start building or installing equipment while my air permit application is being processed?

Small-emitting companies [non-major New Source Review (NSR)] can clear land, build structures, pour foundations, run utility lines and place equipment on-site before getting the final permit. But you cannot connect utility lines to the equipment and begin operation until you receive the permit. Large-emitting companies (major NSR) and synthetic minors (companies voluntarily restricting their emissions) can only perform activities of a non-permanent nature. For a complete list of allowed site preparation activities, see [OAC rule 3745-31-33](#).

These activities can occur provided you have filed a complete PTI or PTIO application, the Director or the Director's designee has determined that the application is complete and you have been notified by the Director that this activity will be undertaken prior to the issuance of a PTI or PTIO. Activities undertaken are at your own risk and there is not a guarantee of final permit issuance.

It's important that you contact the permit writer at Ohio EPA to have them review pre-construction activities to help you decide what can and cannot be done before a final permit is obtained. You may need other Ohio EPA permits such as a construction storm water permit or 401 Water Quality Certification/404 permit before beginning site activities.

What is the permit process?

Please note that the process outlined below is for a typical PTI or PTIO. Depending on the complexity of the permit, the process could take longer and include additional steps.

Contact your [Ohio EPA district office, Division of Air Pollution Control \(DAPC\) or local air agency \(LAA\)](#) and discuss the proposed source. Discuss permit fees, permit processing time, application forms, monitoring/ testing requirements, possible regulations, permit limits and any other pertinent topics. If possible, arrange a meeting at least six to eight months before construction is scheduled to start (or earlier for large projects). Complete and submit the PTI/PTIO application along with any supporting documentation to the [Ohio EPA district office or LAA](#). You should do this at least six months before construction starts.

Upon receipt of the application, Ohio EPA's district office or the LAA will conduct a completeness review within 14 days and notify you if the application is complete. It is important to note that Ohio EPA or the LAA cannot

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complete a detailed technical review of the application until it is considered complete. Therefore, it is important that you promptly respond to any requests for missing information.

The local office will complete a technical review of the application, draft the permit terms and conditions, and send the package to Ohio EPA's central office. Ohio EPA's central office does a final technical review of the application and the permit terms and if approvable, issues a draft or a final permit. If changes are needed, the application might be sent back to the local office. In some rare cases, central office may prepare a recommendation to the Director for denial of a permit.

For some sources, Ohio EPA is required to issue a permit as a draft action. For draft actions, Ohio EPA puts a notice in the local paper regarding the proposed installation. This notice provides for a 30-day public comment period. A public meeting may be held as part of this process. If no comments are received, then Ohio EPA issues a final permit. If Ohio EPA receives significant comments, the draft permit may be modified and reissued or denied. If the draft permit is reissued, then Ohio EPA will explain the rationale in a second public notice and will solicit comments concerning the modifications incorporated in the permit.

The final permit allows the company to begin construction and operation of the source. Final permits are typically issued within three to six months after receiving a complete application. Issuance of a final permit or issuance of a final denial are actions of the Director. Ohio EPA issues a public notice announcing issuance or denial. Final actions may be appealed to the [Environmental Reviews Appeals Commission \(ERAC\)](#).

After receiving a final PTI, Title V companies need to complete a Title V permit application or amend their current Title V operating permit to include the new emission sources. Companies receiving a PTIO can install and operate the emission sources as described in the permit.

What is a general permit?

A general permit is an option for certain sources. Because they are developed in advance, general permits eliminate much of the review steps and speed up the permit process. You can preview general permit qualifying criteria and terms and conditions, and then decide if you would like to utilize this option. General permits are usually processed within 45 days. For more information, see [DAPC's general permit program webpage](#).

How much does a permit cost?

For current fees, see [Ohio EPA's Fee Schedule](#). You will be billed for the applicable fee when the final permit is issued. There are no fees required for the submission of an application.

Where can I find more permit information?

For more information, see [DAPC's webpage](#).

Demolition and Renovation Activities

Asbestos Notification

Who must apply?

The National Emission Standard Hazardous Air Pollutants Standard (NESHAP) for asbestos applies to persons involved in demolition or renovation activities.

Under the rules, individuals undertaking a facility demolition project must submit a notification of demolition activity **regardless of whether asbestos is involved**. The notification is sent to the [Ohio EPA district office, Division of Air Pollution Control or local air agency](#) with jurisdiction over the county where the operations will occur.

APPLICABLE LAWS AND RULES

- ✓ [Clean Air Act](#)
- ✓ [40 CFR Part 61, Subpart M](#)
- ✓ [OAC Chapter 3745-20](#)

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Examples of activities that require notification include demolition of institutional, commercial, public, industrial or residential structures. This also includes bridges, tunnels, apartments with more than four dwelling units, homes which are part of a development project, partial demolitions, churches, power plants, parking garages and farms. Residential structures with four or fewer dwelling units that do not meet the definition of facility or installation do not require notification.

If the project is a renovation, notification is required when the amount of regulated asbestos-containing material (RACM) which is stripped, removed, dislodged, cut, drilled, or similarly disturbed exceeds 260 linear feet on pipes, 160 square feet on other facility components or 35 cubic feet off facility components.

How much does the notification cost?

For current fees, see [Ohio EPA's Fee Schedule](#).

What is the notification process?

You must submit the notification form at least ten working days (Monday-Friday excluding weekends) before operations begin. Phone and fax notifications are not acceptable for original notification. The following information must be submitted to meet notification requirements:

- facility description, including the specific portion of the facility affected by the operations and an estimate of the building size (in square feet), number of floors and age in years. The description must also include a description of present and prior use (for example, industrial, commercial, etc.);
- description of planned demolition or renovation work and method(s);
- information on whether asbestos is present in any quantity;
- the procedures used to detect and analyze asbestos. All operations must have inspection and analyses records on-site during active operations for inspection. Records include a list of materials assessed, locations sampled and the sample results;
- types of asbestos (RACM, non-friable asbestos material to be removed, non-friable asbestos material not to be removed);
- the start and end date for the demolition or renovation;
- scheduled hours of operation, dates and days of the week the operations will be active;
- names, addresses and phone numbers of any waste transporters;
- identification of the disposal site for the material (including physical location);
- description of work practices and engineering controls to be used to comply with the requirements, including asbestos removal and waste handling emission control procedures;
- procedures to be followed in the event unexpected asbestos is found or non-friable asbestos becomes RACM;
- certification that a NESHAP-trained person will be available during normal business hours at the demolition or renovation site; and
- notification must be updated when substantive information changes or the amount of asbestos changes by more than 20 percent. Updated notification may be provided by phone or fax followed in writing before the operations continue.

Note: If your project involves an emergency asbestos removal activity, different procedures may apply. An emergency demolition or emergency renovation notice must be submitted as early as possible before but not

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later than the following working day, and must include the required information. Contact your local Ohio EPA district office, [Division of Air Pollution Control or local air agency](#) having jurisdiction over the project.

What are some of the typical requirements?

In addition to the notification requirements, you must complete a waste shipment record prior to consigning any asbestos waste materials. Each owner or operator must also follow procedures to prevent emissions of particulate asbestos material to the ambient air.

Where can I get the notification form and waste shipment form?

For more information, including applicable forms see [DAPC's asbestos webpage](#).

Hazardous Waste Treatment, Storage and Disposal Permit

Who must apply?

If you store hazardous waste from other businesses prior to treatment or disposal, you must obtain a hazardous waste facility permit. If you operate a universal waste destination facility that stores universal waste prior to recycling, you must also obtain a hazardous waste facility permit. Additionally, if you operate a recycling facility that stores hazardous wastes before recycling you must also obtain a hazardous waste facility permit. You must obtain a permit prior to constructing a new facility or making modifications to an existing facility.

If you are only generating a hazardous waste at your business, you are not required to get a permit from Ohio EPA. Depending on the quantity of hazardous waste generated, however, you may be required to [obtain a U.S. EPA identification number](#) from Ohio EPA's Division of Environmental Response and Revitalization (DERR). For more information on your hazardous waste generator requirements, see Ohio EPA's [Hazardous Waste Generator Handbook](#).

APPLICABLE LAWS AND RULES

- ✓ [ORC Chapter 3734](#)
- ✓ [ORC Chapters 3745-50 through 3745-69](#)

How long is the permit valid?

The permit is valid for 10 years.

How much does it cost?

For current fees, see [Ohio EPA's Fee Schedule](#).

What are the typical requirements?

Hazardous waste facility requirements are extensive and can be complicated. For more information, refer to [ORC 3734.05\(C\) and \(H\)](#) and OAC rule [3745-50-40 through 3745-50-44 and 3745-50-62](#). Additionally, you can contact [Ohio EPA's DERR](#) for additional assistance.

What is the application process and how long does it take?

Hazardous waste facilities can be complex, may have extensive permitting and compliance requirements, and require an in-depth agency review and public comment. The permit review process for a new facility, therefore, may take a significant amount of time. General steps in the process include:

- contacting the Ohio EPA district office that has jurisdiction over the county in which the facility is or will be located;
- submitting the permit application and application fee to Ohio EPA. The applicant is responsible for submitting detailed information about the proposed activities as part of the application package. If the

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proposed or existing facility is an off-site facility as defined in [ORC 3734.41](#), the permit applicant must submit a disclosure statement. Contact the [Attorney General's Office](#) at (614) 466-2785 for more information.

- determining if the application and information supplied is complete and technically adequate. If the application is incomplete, Ohio EPA will send the applicant a Notice of Deficiency (NOD) within 30 days, detailing those areas which are either incomplete and/or technically inadequate. The applicant then must respond to the NOD with additional information. More than one NOD may be issued before an application package is considered complete and technically adequate and before a recommended action on the permit can be forwarded to the Director of Ohio EPA;
- conducting a public hearing and public comment period. The final action will include Ohio EPA's formal response to all comments received during the comment period. Although not common, Ohio EPA may issue a Notice of Intent to deny the permit. Final actions of Ohio EPA are appealable to the [Environmental Review Appeals Commission \(ERAC\)](#);
- modifying an application for existing facilities with waste management activities that become subject to hazardous waste permitting requirements because of statutory or regulatory change. Such modifications must be submitted to Ohio EPA within 30 days of the effective date of the regulatory or statutory change; and
- submitting an application to Ohio EPA no later than 180 days prior to the expiration date of the current effective permit (this only applies to existing facilities seeking permit renewal).

Where can I get more information and application forms?

For more information, visit [DERR's webpage](#).

Construction and Demolition Debris Disposal Facility

License to Operate

Who must apply?

If you want to operate a construction and demolition debris (C&DD) disposal facility you must first obtain a license to operate. The license is issued by the [approved health department](#) in the health district in which the facility is located or by the Director of Ohio EPA if the Director has assumed the licensing function for that health district.

If you want to modify or alter your facility after a license is issued, you must obtain authorization from the licensing authority for these alterations. This includes submitting a license application for the modification.

How long is the license valid?

The license is valid for a period of one year.

How much does it cost?

For current fees, see [Ohio EPA's Fee Schedule](#).

In addition to licensing, what are some typical requirements?

As the owner/operator of a C&DD landfill you must ensure that your facility accepts only debris from construction and demolition activities and three specific types of solid waste. These solid wastes are: packaging resulting from the use of construction materials where the packaging is incidental to the load; tree stumps,

APPLICABLE LAWS AND RULES

- ✓ [ORC Chapter 3714](#)
- ✓ OAC Chapters [3745-400](#) and [3745-37](#)

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trunks and branches exceeding four inches in diameter where the branches are clean of leaves and smaller branches; and asbestos-containing materials only if a National Emission Standards for Hazardous Air Pollutants (NESHAP) air permit has been issued to the facility.

You cannot accept other solid waste, hazardous waste, PCB wastes, bulk liquids, wastes containing free liquids, infectious waste, scrap tires or yard waste. There are many requirements that apply to C&DD landfills, including:

- siting and design criteria;
- operating requirements, including maintaining the working face; preventing fires; proper management of surface water and leachate; and prevention of nuisances or health hazards (for example, managing noise, dust, odors, insects and rodents);
- record-keeping, including records of accepted and rejected waste loads;
- ground water monitoring that can determine the quality of the ground water under the facility, unless the landfill meets certain conditions with regard to the geology at the site and debris placement relative to ground water;
- leachate monitoring;
- financial assurance to ensure adequate funding is available for proper closure and post-closure care;
- proper closure of landfill once ceasing operation; and
- a minimum of five years of post-closure care.

What is the application process?

You should first contact the licensing authority to receive an application form. The licensing authority is either Ohio EPA if the Director has assumed the licensing function for that health district or the [approved health department](#) in the health district in which the facility is located.

Next you must submit application, fee and all required site characterization information and engineering plan drawings to the licensing authority. The application must be submitted at least 90 days before proposed operations begin.

The licensing authority will review the application for completeness. If the application is found incomplete, the licensing authority will send a Notice of Deficiency (NOD) to the applicant with a request for additional information.

Once the application is considered complete, if the licensing authority is Ohio EPA, the Director will issue the final license to the applicant. The Director also has the authority to deny an applicant's license. If the licensing authority is the local health department, the board of health will take a final action on the license (issuance or denial).

How long does the licensing process take?

Once a complete application is received for a new C&DD facility, the review process typically takes 90 days. For an existing C&DD facility, the application for license renewal must be submitted to the licensing authority during September of each calendar year.

Where can I get application forms and more information?

For more information on the construction and demolition debris requirements, visit [Ohio EPA's Division of Material and Waste Management's \(DMWM\) C&DD webpage](#).

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Composting Operations

Permit, Registration and License

Who must apply?

If you want to establish a composting facility and do not meet one of the **exclusions listed in OAC rule 3745-560-01** you must first get a registration, license and/or permit according to the classification of the facility. Ohio EPA's composting rules cover what materials can be composted, operational requirements and testing for the finished product prior to distribution. Wastes which may be acceptable for composting are categorized as feedstock types, bulking agents or additives.

APPLICABLE LAWS AND RULES

- ✓ [ORC 3734.02, 05, 06](#)
- ✓ [ORC 3734.40 through 44](#)
- ✓ [ORC 3745.11](#)
- ✓ OAC Chapters 3745-[500](#), [501](#), [503](#), and [560](#)

Class I Compost Facilities

Class I compost facilities may accept a variety of non-source separated solid wastes. Non-source separated solid wastes include household trash (consisting of glass, food, plastics, pesticides, household cleaners, etc.) and wastes from any other type of facility that has not been separated at the point of generation. Class I facilities do not have size restrictions. If you wish to establish a Class I compost facility you are required to get a permit and license.

You must submit a **permit-to-install (PTI) application**. The PTI should be submitted to your local **Ohio EPA district office**. The application must be approved by Ohio EPA prior to the construction of a new Class I composting facility and prior to the modification of an existing class I composting facility. The PTI, unless otherwise revoked or terminated, generally stays in effect until Ohio EPA and the **approved health** district have received certification that all required final closure activities have been completed (if the health district in your county is not approved, the certification goes to Ohio EPA).

You must also get a separate **license** for the operation of a Class I composting facility. The license is obtained from the board of health in the health district in which the facility is located, or by the Director of Ohio EPA if the Director has assumed the licensing function for that health district. License applications can be submitted directly to the licensing authority or through **Ohio EPA's eBusiness Center**.

In addition to getting a permit and license, you must also comply with other requirements related to construction, technical design, operating and maintenance requirements, closure, record-keeping and financial assurance. Financial assurance is a standard of financial responsibility established to assure that funds will be available for proper closure of a facility. The amount of financial assurance is based on the volume of material, which includes the feedstock, curing compost, cured compost, bulking agents and additives.

Class II Compost Facilities

A Class II compost facility may only accept source-separated yard waste, animal wastes, specified agricultural wastes, authorized bulking agents and additives, and other alternative materials. You may not use alternative materials (feedstocks, bulking agents and additives) in the composting process unless prior approval is obtained from the Director of Ohio EPA. There are no size limitations, however, the registration will identify the area in which composting is to occur and a facility must follow the approved registration. Class II compost facilities require a license and registration.

If you are a new class II solid waste composting facility you must submit a **registration form** at least 30 days prior to the date on which the facility will accept waste. The form can be submitted directly to your local **Ohio**

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[EPA district office](#) or through [Ohio EPA's eBusiness Center](#). Your registration is not considered complete unless it contains all required information and original signatures.

Class II facilities must also have a separate [license](#) for the operation. The license is obtained from the [approved health department](#) in the health district in which the facility is located, or by the Director of Ohio EPA if the Director has assumed the licensing function for that health district. You must complete paperwork to obtain a license concurrent with submitting the completed registration form. The license form can be submitted directly to the licensing authority or through [Ohio EPA's eBusiness Center](#).

In addition to getting a permit and license, you must also comply with other requirements related to construction, design, operating and maintenance requirements, sampling and testing of finished compost, record-keeping, closure and financial assurance.

Class III and Class IV Composting Facilities

Class III facilities may only accept source-separated yard waste, animal wastes, specified agricultural wastes, authorized bulking agents and additives. Class III and IV facilities are limited to less than 135,000 square feet of total area. Class III facilities require only a [registration](#).

Class IV facilities may accept only source-separated yard waste, authorized bulking agents and the following additives: urea and bacteria or fungal inoculum. Class IV facilities cannot accept animal wastes. Class IV compost facilities do not have size restrictions and only require a [registration](#).

Both Class III and IV composting facilities must submit a registration form at least 30 days prior to the date on which you wish to accept materials. The form can be submitted directly to your local [Ohio EPA district office](#) or through [Ohio EPA's eBusiness Center](#). Your registration is not considered complete unless it contains all required information and original signatures.

In addition to registration, class III and IV facilities must comply with other requirements related to construction, operating and maintenance requirements, closure and record-keeping. Financial assurance is not required for class III and IV facilities.

What are the fees for operating a composting facility?

For current fees, see [Ohio EPA's Fee Schedule](#).

Note that Class III and Class IV compost facilities only require registration, which is at no cost to the applicant.

Where can I get more information and forms?

For more information, visit [DMWM's composting webpage](#).

Scrap Tire Transporter Registration

Who must register?

If you are transporting scrap tires within Ohio, you must register with Ohio EPA. This includes the transportation of scrap tires from another state into the state of Ohio. Registration as a scrap tire transporter in another state is not sufficient. As a transporter, you must pay an annual registration fee and obtain financial assurance.

APPLICABLE LAWS AND RULES

- ✓ ORC [3734.74](#) and [3734.83](#)
- ✓ OAC rules [3745-27-54 through 57](#)

Are there exceptions to the scrap tire transporter registration requirements?

Yes. [OAC rule 3745-27-54](#) outlines conditions where scrap tire transporter registration is not required.

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How long is the registration valid?

If you are a new scrap tire transporter, you must apply for registration to the Ohio EPA at least 90 days prior to transporting tires. Existing scrap tire transporters must renew their registration annually by January 31.

What are the fees for operating as a scrap tire transporter?

For current fees, see [Ohio EPA's Fee Schedule](#).

What is the registration process?

- 1) You must first submit registration application directly to your local [Ohio EPA district office](#) or through [Ohio EPA's eBusiness Center](#).
- 2) Your application must include a draft financial assurance instrument.
- 3) Ohio EPA will review the application and communicate any revisions that are needed.
- 4) Your registration will then either be issued or denied.
- 5) Before issuance of the registration, the financial assurance mechanism must be executed.

How long does the registration process take?

It may take up to 90 days for you to receive approval (or denial) of the registration certificate. If there are problems with the application (insufficient or incorrect information, etc.), it may take more than 90 days.

What are some typical requirements for scrap tire transporters?

- You will be required to restrict deliveries of scrap tires to authorized locations.
- You will be required to utilize and maintain records of all shipping papers and manifests.
- You will be required to report annually all scrap tires transported, including county of origin and delivery destinations.
- You will be required to follow rules that outline specific storage/sorting limitations and mosquito control measures.
- You will be required to establish and maintain \$20,000 in financial assurance
- You will be required to meet final closure requirements after no longer transporting tires.

Where can I get more information?

For more information, visit [DMWM's scrap tire webpage](#).

Scrap Tire Collection Facilities

Registration and License

Who must apply?

A scrap tire collection facility receives and stores whole scrap tires from the public prior transporting them to an approved destination for processing or disposal. If you wish to establish a scrap tire collection facility you must first obtain a registration certificate from Ohio EPA and an annual operating license from

the [approved health department](#) in the health district in which the facility is located, or by the Director of Ohio EPA if the Director has assumed the licensing function for that health district. The registration form can be

APPLICABLE LAWS AND RULES

- ✓ ORC Sections [3734.70](#), [75](#), and [81](#)
- ✓ OAC rules [3745-27-01](#), [3745-27-57](#), [3745-27-62](#), [3745-27-65](#) and [3745-27-66](#)

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submitted directly to your local [Ohio EPA district office](#) or through [Ohio EPA's eBusiness Center](#). Your license application can be submitted directly to the licensing authority or through [Ohio EPA's eBusiness Center](#).

Are there any exemptions from registering as a collection facility?

Yes. There are some exemptions from the requirement to obtain a registration certificate for certain facilities. [OAC rule 3745-27-61\(A\)\(2\)](#) lists the exemptions, however, facilities exempt from registering and licensing must still comply with [OAC rule 3745-27-60](#).

What are the fees for a scrap tire collection facility?

For current fees, see [Ohio EPA's Fee Schedule](#).

What are some of the typical requirements for a scrap tire collection facility?

- You will be required to meet specific storage and operating requirements (for example, maximum storage areas).
- All tires must be stored in portable containers and not on the ground.
- Whole scrap tires must be stored. The storage of cut or shredded scrap tires is not authorized at a collection facility.
- You will be required to maintain appropriate fire lanes around containers at all times.
- You must obtain a [registration certificate](#) from Ohio EPA.
- You must obtain an annual operating license from the [approved health department](#) in the health district in which the facility is located, or by the Director of Ohio EPA if the Director has assumed the licensing function for that health district..
- You will be required to comply with recordkeeping requirements, including shipping papers and daily logs to track incoming and outgoing shipments and to provide a constant estimate of the number of tires on site.
- Covering tires with soil at a collection facility is [prohibited](#).

Where can I get more information?

For more information, see [DMWM's scrap tire webpage](#).

Scrap Tire Storage Facilities

Registration, License and Permit

Who must apply?

A scrap tire storage facility is a facility that stores whole scrap tires prior to the tires being transported to an approved destination facility. A scrap tire storage facility is designated as either Class I or Class II depending on the size of the facility.

A Class I scrap tire storage facilities has a scrap tire storage area greater than 10,000 square feet and up to three acres of effective whole scrap tire storage. A Class I scrap tire storage facility permit can be issued only to owners or operators who also have a licensed scrap tire recovery facility, monofill or monocell located in Ohio or an equivalent solid waste facility located in another state.

APPLICABLE LAWS AND RULES

- ✓ ORC Sections [3734.71](#), [76](#) and [81](#)
- ✓ OAC rules [3745-27-57](#) and [3745-27-61 through 3745-27-66](#)

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A Class II scrap tire storage facilities are limited to a maximum of 10,000 square feet of effective scrap tire storage area (equal to about 50,000 passenger tires).

Are there any exemptions from registering as a storage facility?

Yes. There are some exemptions from the requirement to obtain a registration certificate for certain facilities. [OAC rule 3745-27-61\(A\)\(2\)](#) lists the exemptions, however, facilities exempt from registering and licensing must still comply with [OAC rule 3745-27-60](#).

What are the registration, license and permitting requirements?

If you wish to operate a Class I scrap tire storage facility you must first obtain a permit from Ohio EPA and an annual solid waste license from the [approved health department](#) in the health district in which the facility is located, or by the Director of Ohio EPA if the Director has assumed the licensing function for that health district.. The permit application must be submitted to your local [Ohio EPA district office](#). Your license application can be submitted directly to the licensing authority or [through Ohio EPA's eBusiness Center](#).

If you wish to operate a Class II scrap tire storage facility, you must obtain a [registration certificate](#) from Ohio EPA. Class II facilities must also obtain an annual solid waste facility [license](#) from the [approved health department](#) in the health district in which the facility is located, or by the Director of Ohio EPA if the Director has assumed the licensing function for that health district.. The license application must then be resubmitted annually by September 30. The [registration form](#) can be submitted directly to your local [Ohio EPA district office](#) or [Ohio EPA's eBusiness Center](#). The license application can be submitted directly to the licensing authority or through [Ohio EPA's eBusiness Center](#).

What are the fees for a scrap tire storage facility?

For current fees, see [Ohio EPA's Fee Schedule](#).

What are the typical requirements for a scrap tire storage facility?

- If you wish to establish a Class I scrap tire storage facility you must submit a disclosure statement to the Ohio Attorney General's Office (at the same time the permit is submitted to Ohio EPA) to initiate a background check on key company employees.
- You must comply with specific operating and storage requirements for scrap tires, including limitations on storage pile size, maintaining fire lanes or separation distances and covering or treating outdoor piles to control mosquitos.
- You are required to maintain financial assurance to ensure that funds will be available to properly close (remove scrap tires from) the facility if you abandon the site and scrap tires remain at the facility.
- You must complete shipping papers each time scrap tires are delivered to or removed from the facility and must maintain records of the shipping papers. An annual report summarizing all shipping must be submitted to Ohio EPA.
- For scrap tires stored outdoors and uncovered, you must maintain an effective mosquito control program and a file including records of all insecticide applications.
- The maximum height of storage piles is 14 feet.

Where can I get more information and forms?

For more information, see [DMWM's scrap tire webpage](#).

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Scrap Tire Recovery Facilities

Permit, License and Registration

Who must apply?

A scrap tire recovery facility is a facility that processes scrap tires to extract or produce usable products, materials or energy. A scrap tire recovery facility is designated as a Class I, Class II or a mobile scrap tire recovery facility.

APPLICABLE LAWS AND RULES

- ✓ ORC Sections [3734.73](#), [78](#), and [81](#)
- ✓ OAC rules [3745-27-57](#) and [3745-27-61 through 3745-27-67](#)

Class I and Class II scrap tire recovery facilities have one permanent operating location in Ohio for scrap tire processing. Whether a facility is designated as a Class I or a Class II scrap tire recovery facility depends on each facility's daily designated processing rate. A Class I scrap tire recovery facility process 200 tons or more per day. A Class II scrap tire recovery facility process 199 tons of scrap tires or less per day. If you do not have a permanent scrap tire recovery facility in Ohio and want to operate portable equipment in Ohio to produce useable material such as tire-derived fuel or tire-derived chips, you must **submit a registration and obtain a license** as a *mobile scrap tire recovery facility*.

Are there any exemptions from registering as a recovery facility?

Yes. There are some exemptions from the requirement to obtain a registration certificate for certain facilities. [OAC rule 3745-27-61\(A\)\(2\)](#) lists the exemptions, however, facilities exempt from registering and licensing must still comply with [OAC rule 3745-27-60](#).

What are the specific permit, registration and licensing requirements?

A Class I scrap tire recovery facility must obtain a *permit* from Ohio EPA and pay a one-time permit fee. All Class I scrap tire recovery facility applicants must submit a disclosure statement for key employees to the Ohio Attorney General's Office for a background check. A Class II scrap tire recovery facilities must **register** with Ohio EPA and pay a one-time registration fee. All scrap tire recovery facilities must also apply for and obtain a solid waste license from the [approved health department](#) in the health district in which the facility is located, or by the Director of Ohio EPA if the Director has assumed the licensing function for that health district. The license application must then be resubmitted annually by September 30.

Permit applications, which only apply to Class I Scrap Tire Recovery facilities should be submitted to your local Ohio EPA district office. Registration forms, applicable to Class II Scrap Tire Recovery facilities can be submitted to your local [Ohio EPA district office](#) or through [Ohio EPA's eBusiness Center](#). License applications, applicable to all scrap tire recovery facilities can be submitted to the licensing authority or through [Ohio EPA's eBusiness Center](#).

What are the scrap tire recovery facility fees?

For current fees, see [Ohio EPA's Fee Schedule](#).

What are some of the typical requirements for recovery facilities?

- There are limitations on the amount of scrap tires that can be stored at your facility.
- You must follow all operating and storage requirements, including limitations on the size of storage piles, maintaining fire lanes, covering outdoor piles or providing mosquito control measures.
- You must maintain the appropriate financial assurance to ensure availability of funds to properly close the facility.
- You must complete and maintain record of completing shipping papers.

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- An *annual report* must be submitted to Ohio EPA.
- You must maintain a mosquito control program for tires stored outside.

Where can I get more information and forms?

For more information, see [DMWM's webpage](#).

Scrap Tire Beneficial Use

Project Plan Approval

Who must apply?

Ohio EPA encourages the reduction, re-use and recycling of all waste materials, including scrap tires. However, Ohio law requires landowners, construction companies and others to receive specific Ohio EPA authorization to beneficially use whole or processed scrap tires before beginning any type of project which is not specifically listed in the rules as a pre-approved project. If a proposed project is not listed as pre-approved, then a project plan must be submitted and approved by Ohio EPA before a project may be implemented.

APPLICABLE LAWS AND RULES

- ✓ ORC Chapters [3734.01, 02, 70 through 74 and 84](#)
- ✓ OAC rule [3745-27-78](#)

How do I find out more about pre-approved projects?

See [OAC rule 3745-27-78](#) for a list of pre-approved beneficial use projects or DMWM's [Beneficial Use of Scrap Tires](#) Guidance Document

If I need to submit a beneficial use project plan, how long is it effective?

Your approval is effective for the time period for construction of the project specified in the final, approved project plan.

How much does it cost?

There are no fees for an approved scrap tire beneficial use project.

What are some requirements of the project plan?

[OAC rules 3745-27-78\(F\) and \(G\)](#) describe the requirements for all proposed scrap tire beneficial uses which are not pre-approved. You must submit project plans to the appropriate [Ohio EPA district office](#) where each project is proposed. Typical items that should be addressed in the plan include:

- the number, weight, or volume of scrap tires to be used;
- the total length of time the project is expected to take;
- a detailed description of how the tires will be used;
- the kind of construction material normally used which is being replaced by the scrap tires or shreds;
- mosquito controls that you will utilize for temporary storage of the whole tires to be used during the project; and
- a detailed engineering plans and specifications for the project.

What is the application process?

- 1) You must first submit a project plan for a scrap tire beneficial use to the [Ohio EPA district office](#) where your proposed project is located.

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- 2) Ohio EPA will communicate the need for any necessary revisions.
- 3) Once all necessary revisions are addressed the Director of Ohio EPA will issue an action approving or denying the project plan. If approved, you may begin construction.
- 4) Once the project is complete you must send a completion report to Ohio EPA, DMWM.

Note: Depending on the specific beneficial use proposed, additional authorizations may be required by other local and/or state regulatory offices such as local building code enforcement offices, zoning authorities, local health departments, etc.

How long does the process take?

Once the project plan is complete and technically adequate, the Director's action is usually issued within 90 days.

Where can I get more information?

For more information, visit [DMWM's scrap tire webpage](#).

Scrap Tire Disposal Facility

Permit and License

Who must apply?

In Ohio, scrap tires can only be disposed of at permitted and licensed scrap tire monofills or monocells. If you want to operate either a monofill or monocell you must submit a permit application to your local [Ohio EPA district office](#). You must obtain a permit-to-install (PTI) from Ohio EPA before a scrap tire disposal facility can be constructed or expanded in Ohio. A PTI outlines how the facility will comply with Ohio's siting, design, construction, monitoring and operational requirements.

You must receive an annual operating license from the [approved health department](#) in the health district in which the facility is located, or by the Director of Ohio EPA if the Director has assumed the licensing function for that health district. Fees for the permit and license are based on the permitted authorized maximum daily waste receipts. The license application must then be resubmitted annually by September 30 and can be submitted directly to the licensing authority or through [Ohio EPA's eBusiness Center](#).

APPLICABLE LAWS AND RULES

- ✓ ORC Sections [3734.73](#), [78](#), and [81](#)
- ✓ OAC Rules [3745-27-57](#) and [3745-27-69 through 75](#)

How much does it cost?

For current fees, see [Ohio EPA's Fee Schedule](#).

What are some typical requirements?

- There are specific requirements regarding siting, facility design and construction, operation and maintenance.
- You must maintain contingency/emergency plans.
- You must maintain mosquito control requirements.
- You must submit a disclosure statement to the Ohio Attorney General's Office (at the same time the permit is submitted to Ohio EPA) to initiate a background check on key company employees.
- You must follow all applicable closure provisions.

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- Monofills require post-closure care.
- You are required to maintain financial assurance for closure and post closure care provisions for monofills.

What is the application process?

- 1) You will first submit a solid waste facility PTI application to the appropriate [Ohio EPA district office](#).
- 2) Ohio EPA will publish a legal notice to inform the public that a PTI application has been received. The notice will be published in Ohio EPA's *Weekly Review* and in the local newspapers of general circulation in the county in which the facility is located or proposed to be located. The notice will also be posted on the [Agency's webpage](#).
- 3) For some permits, a public meeting is held to provide information and respond to questions. Ohio EPA must receive a copy of the meeting transcript.
- 4) Ohio EPA will review the PTI application to determine if it is complete. If there are deficiencies, a letter will be sent to the applicant detailing the deficiencies.
- 5) After the permit has been reviewed and before the issuance of a draft or proposed action, Ohio EPA will hold a public information session to discuss the Agency's review of the application. You are required to be present for the public hearing or have an appointed representative attend in your place.
- 6) If the application meets the requirements, Ohio EPA will issue a draft PTI. Ohio EPA will also issue a public notice announcing the issuance of the draft and a public comment period is held. Following the public comment period, the Director of Ohio EPA may issue a final permit or request additional information from the applicant. If the permit application is requesting a minor modification to an existing facility, Ohio EPA may go directly to a final decision. If the application does not meet permitting requirements, Ohio EPA will issue a proposed denial. Parties can request an adjudication hearing on the proposed action with the hearing examiner.

Issuance of a final permit or issuance of a final denial are actions of the Director of Ohio EPA. Ohio EPA will issue a public notice announcing issuance or denial. Final actions may be appealed to the [Environmental Review Appeals Commission \(ERAC\)](#).

Where can I get application forms?

For more information, see [DMWM's scrap tire webpage](#).

Solid Waste Transfer Facility Permit

Who must apply?

A solid waste transfer facility is any site or building that is used primarily for transferring solid waste (generated off the premises of the facility) from vehicles or containers into other vehicles or containers for transportation to a solid waste disposal facility.

If you want to establish or modify a solid waste transfer facility you first must obtain a permit-to-install (PTI) from Ohio EPA.

How long is the permit valid?

The PTI is a long-term development plan for your facility and does not expire. It may be superseded by other PTIs for future modifications. Before accepting any waste, you must receive an annual operating license from the

APPLICABLE LAWS AND RULES

- ✓ ORC [3734.02](#), [3734.05\(A\)\(2\)\(C\)](#) and [3745.11\(Q\)](#)
- ✓ OAC rule [3745-555](#)

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approved health department in the health district in which the facility is located, or by the Director of Ohio EPA if the Director has assumed the licensing function for that health district.

How much does it cost?

For current fees, see *Ohio EPA's Fee Schedule*.

What are some typical requirements for transfer facilities?

- Siting, design, operational and closure requirements in the rules.
- You must submit a disclosure statement to the Ohio Attorney General's Office (at the same time the permit is submitted to Ohio EPA) to initiate a background check on key company employees.
- Financial assurance regulations to ensure adequate funds are available for closure of the facility.

What is the application process?

- 1) You must first submit a *PTI application* to your local *Ohio EPA district office*. Additionally, you must submit a license application to the licensing authority or through *Ohio EPA's eBusiness Center*.
- 2) Ohio EPA will publish a legal notice to inform the public that a PTI application has been received in Ohio EPA's *Weekly Review* and in the local newspapers of general circulation in the county in which the facility is located or proposed to be located. The notice will also be posted on the *Agency's webpage*.
- 3) For some permits, depending on the purpose of the permit and the type of facility, you must conduct a public meeting to provide information about the application and respond to citizen comments and questions. After the meeting, you will forward a copy of the meeting transcript and any other pertinent information to Ohio EPA.
- 4) Ohio EPA will review the PTI application to determine if the application is complete and meets all applicable requirements. If there are deficiencies, Ohio EPA will send a letter to the applicant detailing the deficiencies and may request additional information.
- 5) After the permit has been reviewed and before the issuance of a draft or proposed action, Ohio EPA will hold a public information session to discuss the Agency's review of the application. You are required to be present for the public hearing or have an appointed representative attend in your place.
- 6) If the application meets the requirements, Ohio EPA will issue a draft PTI. Ohio EPA then will issue a public notice announcing the issuance of the draft permit and a public hearing and comment period is held. Following the public comment period, the Director may issue a final permit or request additional information from the applicant. If the permit application is for a minor modification, Ohio EPA may go directly to a final decision. If the application does not meet the requirements, Ohio EPA will issue a proposed denial. Parties can request an adjudication hearing on the proposed action with the hearing examiner.

Issuance of a final permit or issuance of a final denial are actions of the Director of Ohio EPA. Ohio EPA will issue a public notice announcing issuance or denial. Final actions may be appealed to the *Environmental Review Appeals Commission (ERAC)*.

Where can I get application forms?

For more information, visit *Ohio EPA's DMWM webpage*.

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Solid Waste Landfill Permit

Who must apply?

If you want to establish or modify a solid waste landfill in the state of Ohio, you must first obtain a solid waste permit-to-install (PTI) from Ohio EPA.

How long is the permit valid?

A PTI is a long-term development plan for your facility and does not expire. It may be superseded by other PTIs for future modifications. Before accepting any waste, you must receive an annual operating license from the [approved health department](#) in the health district in which the facility is located, or by the Director of Ohio EPA, if the Director has assumed the licensing function for that health district.

How much does it cost?

For current fees, see [Ohio EPA's Fee Schedule](#).

What are some typical requirements?

There are many requirements applicable to solid waste landfill operations, including:

- siting, design, operational, monitoring, and closure requirements in the rules;
- submitting a disclosure statement to the Ohio Attorney General's Office (at the same time the permit is submitted to Ohio EPA) to initiate a background check on key company employees;
- ensuring adequate funds are available for closure of the facility; and
- post-closure care requirements.

What is the application process?

- 1) You will first submit a solid waste facility PTI application to the appropriate [Ohio EPA district office](#). Additionally, you must submit a license application to the licensing authority or through [Ohio EPA's eBusiness Center](#).
- 2) Ohio EPA will publish a legal notice to inform the public that a PTI application has been received. The notice will be published in Ohio EPA's *Weekly Review* and in the local newspapers of general circulation in the county in which the facility is located or proposed to be located. The notice will also be posted on the [Agency's webpage](#).
- 3) For some permits, a public meeting is held to provide information and respond to questions. Ohio EPA must receive a copy of the meeting transcript.
- 4) Ohio EPA will review the PTI application to determine if it is complete. If there are deficiencies, a letter will be sent to the applicant detailing the deficiencies.
- 5) After the permit has been reviewed and before the issuance of a draft or proposed action, Ohio EPA will hold a public information session to discuss the Agency's review of the application. You are required to be present for the public hearing or have an appointed representative attend in your place.
- 6) If the application meets the requirements, Ohio EPA will issue a draft PTI. Ohio EPA will also issue a public notice announcing the issuance of the draft and a public comment period is held. Following the public comment period, the Director of Ohio EPA may issue a final permit or request additional information from the applicant. If the permit application is requesting a minor modification to an

APPLICABLE LAWS AND RULES

- ✓ ORC Chapters [3734](#) and [3745](#)
- ✓ OAC Chapters [3745-27 through 3745-30](#) and [37](#)

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existing facility, Ohio EPA may go directly to a final decision. If the application does not meet permitting requirements, Ohio EPA will issue a proposed denial. Parties can request an adjudication hearing on the proposed action with the hearing examiner.

Issuance of a final permit or issuance of a final denial are actions of the Director of Ohio EPA. Ohio EPA will issue a public notice announcing issuance or denial. Final actions may be appealed to the [Environmental Review Appeals Commission \(ERAC\)](#).

Note: For new landfills, the Ohio Attorney General's Office will conduct a background check before Ohio EPA can issue a permit.

Where can I get application forms?

For more information, visit [DMWM's webpage](#).

Solid Waste Incinerator Permit

Who must apply?

If you want to establish or modify an incinerator for the combustion of solid waste, you must first obtain a permit-to-install (PTI) from Ohio EPA.

How long is the permit valid?

The PTI is a long-term development plan for the facility and does not expire. It may be superseded by other PTIs for future modifications. Before accepting any waste, you must receive an annual operating license from the [approved health department](#) in the health district in which the facility is located, or by the Director of Ohio EPA, if the Director has assumed the licensing function for that health district.

How much does it cost?

For current fees, see [Ohio EPA's Fee Schedule](#).

What are some typical requirements?

There are many requirements applicable to solid waste landfill operations, including:

- siting, design, operational, monitoring, and closure requirements in the rules;
- submitting a disclosure statement to the Ohio Attorney General's Office (at the same time the permit is submitted to Ohio EPA) to initiate a background check on key company employees; and
- ensuring adequate funds are available for closure of the facility.

Depending on the design of each facility's processing machinery, water or air discharges from the facility may be subject to permitting requirements of other Ohio EPA divisions. All new registration or permit applicants must contact Ohio EPA's Division of Air Pollution Control and Division of Surface Water to request a determination of whether additional permits are also required before initiating operations.

What is the application process?

- 1) You will first submit a solid waste facility PTI application to the appropriate [Ohio EPA district office](#). Additionally, you must submit a license application to the licensing authority or through [Ohio EPA's eBusiness Center](#).
- 2) Ohio EPA will publish a legal notice to inform the public that a PTI application has been received. The notice will be published in Ohio EPA's *Weekly Review* and in the local newspapers of general circulation

APPLICABLE LAWS AND RULES

- ✓ ORC [3734.02\(C\)](#), [.05](#), [.06](#), [.40-.44](#) and [3745.11](#)
- ✓ OAC Chapters [3745-27](#), [28](#), [37](#)

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in the county in which the facility is located or proposed to be located. The notice will also be posted on the [Agency's webpage](#).

- 3) For some permits, a public meeting is held to provide information and respond to questions. Ohio EPA must receive a copy of the meeting transcript.
- 4) Ohio EPA will review the PTI application to determine if it is complete. If there are deficiencies, a letter will be sent to the applicant detailing the deficiencies.
- 5) After the permit has been reviewed and before the issuance of a draft or proposed action, Ohio EPA will hold a public information session to discuss the Agency's review of the application. You are required to be present for the public hearing or have an appointed representative attend in your place.
- 6) If the application meets the requirements, Ohio EPA will issue a draft PTI. Ohio EPA will also issue a public notice announcing the issuance of the draft and a public comment period is held. Following the public comment period, the Director of Ohio EPA may issue a final permit or request additional information from the applicant. If the permit application is requesting a minor modification to an existing facility, Ohio EPA may go directly to a final decision. If the application does not meet permitting requirements, Ohio EPA will issue a proposed denial. Parties can request an adjudication hearing on the proposed action with the hearing examiner.

Issuance of a final permit or issuance of a final denial are actions of the Director of Ohio EPA. Ohio EPA will issue a public notice announcing issuance or denial. Final actions may be appealed to the [Environmental Review Appeals Commission \(ERAC\)](#).

Where can I get application forms?

For more information, visit [DMWM's webpage](#).

Infectious Waste Treatment Facility Permit

Who must apply?

If you want to establish or modify a treatment facility that accepts infectious waste, you must first obtain a permit-to-install (PTI) from Ohio EPA prior to construction or modification.

How long is the permit valid?

The PTI is a long-term development plan for the facility and does not expire. It may be superseded by other PTIs for future modifications. Before accepting any waste, you must receive an annual operating license from the [approved health department](#) in the health district in which the facility is located, or by the Director of Ohio EPA, if the Director has assumed the licensing function for that health district.

How much does it cost?

For current fees, see [Ohio EPA's Fee Schedule](#).

What are some typical requirements?

- Using approved treatment methods.
- Siting, design, operation, maintenance, construction and closure requirements.
- Developing a contingency/emergency plans.
- Submitting a disclosure statement to the Ohio Attorney General's Office (at the same time the permit is submitted to Ohio EPA) to initiate a background check on key company employees.

APPLICABLE LAWS AND RULES

- ✓ ORC [3734.02, .021, .05, .06, .40-.44 and 3745.11](#)
- ✓ OAC Chapters [3745-27, 28, 37](#)

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What is the application process?

- 1) You will first submit a solid waste facility PTI application to the appropriate [Ohio EPA district office](#). Additionally, you must submit a license application to the licensing authority or through [Ohio EPA's eBusiness Center](#).
- 2) Ohio EPA will publish a legal notice to inform the public that a PTI application has been received. The notice will be published in Ohio EPA's *Weekly Review* and in the local newspapers of general circulation in the county in which the facility is located or proposed to be located. The notice will also be posted on the [Agency's webpage](#).
- 3) Ohio EPA will review the PTI application to determine if the application is complete and meets applicable requirements. If there are deficiencies, Ohio EPA sends a letter to the applicant detailing the deficiencies and may request additional information.
- 4) After the permit has been reviewed and before the issuance of a draft or proposed action, Ohio EPA will hold a public information session to discuss the Agency's review of the application. You are required to be present for the public hearing or have an appointed representative attend in your place.
- 5) If the application meets the requirements, Ohio EPA will issue a draft PTI. Ohio EPA will also issue a public notice announcing the issuance of the draft and a public comment period is held. Following the public comment period, the Director of Ohio EPA may issue a final permit or request additional information from the applicant. If the permit application is requesting a minor modification to an existing facility, Ohio EPA may go directly to a final decision. If the application does not meet permitting requirements, Ohio EPA will issue a proposed denial. Parties can request an adjudication hearing on the proposed action with the hearing examiner.

Issuance of a final permit or issuance of a final denial are actions of the Director of Ohio EPA. Ohio EPA will issue a public notice announcing issuance or denial. Final actions may be appealed to the [Environmental Review Appeals Commission \(ERAC\)](#).

Where can I get application forms?

For more information, visit [DMWM's webpage](#).

Wastewater Treatment, Collection and Disposal Systems

Permit-to-Install and Plan Approval

Who must apply?

A surface water permit-to-install (PTI) is required for the installation or modification of any wastewater treatment system, collection system or disposal facility. The PTI/plan approval requirements also apply to the installation or modification of an on-site sewage treatment system and to the land application of sewage sludge or treated wastewaters.

The PTI outlines technical and design requirements for the system as well as operating conditions that must be met. A PTI is required before installing any new wastewater system or before modifying an existing system.

The small flow on-site sewage treatment system (SFOSTS) is a category of sewage treatment system established in 2005 by Ohio Revised Code (ORC) Chapter [3718](#). Under this law, small flow on-site sewage treatment systems are authorized either by local health departments or Ohio EPA. An SFOSTS is defined as an on-site system (other

APPLICABLE LAWS AND RULES

- ✓ ORC Chapter [6111](#)
- ✓ OAC Chapter [3745-42](#)
- ✓ OAC Rule [3745-1-05](#)
- ✓ ORC Chapter [3718](#) and OAC [3701-29](#) (ODH statute/regulations)

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than a household system) that treats no more than 1,000 gallons per day of sewage only. To meet this definition, the system must also not require a National Pollutant Discharge Elimination System (NPDES) permit or an underground injection well permit.¹

Where a local health department has assumed SFOSTS authority, they are responsible for regulating and authorizing the construction these systems. Where the local health department has not assumed SFOSTS authority, Ohio EPA issues permits (PTI) for these systems. For more information, including a list of local health departments that have SFOSTS authority, see the [Ohio Department of Health webpage](#).

Are there exceptions to the PTI requirements?

You are not required to obtain a PTI from Ohio EPA for the installation of a sewage treatment/disposal systems for a one-, two- or three-family dwelling. These systems are regulated by Ohio Department of Health (ODH) through your local health department. Contact your local health department for more information on permitting requirements for these systems. There are also specific exemptions for some modifications, certain coal washing situations and certain interceptors for oil and grease. For more information on these see [OAC rule 3745-42-02\(B\)](#).

How long is the permit or plan approval valid?

PTIs typically address construction-related activities and are not usually issued for a specified period. However, if you do not begin construction within 18 months, your PTI will terminate. You can submit a request for a 12-month extension to Ohio EPA should extenuating circumstances cause a delay in construction, however, the request must be made within 18 months of permit issuance. Since plan approvals address operational conditions, your approval is typically issued for an effective period of five years, at which time Ohio EPA can reevaluate the operating conditions and, if necessary, upgrade permit requirements.

How much does a permit cost?

For current fees, see [Ohio EPA's Fee Schedule](#).

What are the general steps in the PTI process?

Outlined below is the process for a typical PTI application. The process could take longer and include additional steps, depending on the complexity of the permit and the applicability of antidegradation requirements.

- 1) You must first submit the PTI to the appropriate [Ohio EPA district office](#). Your application must include the application fee, detailed engineering plans and technical specifications for the wastewater treatment, collection or disposal facility.
- 2) Ohio EPA will publish a notice that a PTI application has been received in [Ohio EPA's Weekly Review](#).

NOTE

An application is not considered complete unless all application questions are answered and all required technical information submitted.

You **must** receive your permit before any construction is started.

¹ The laws and rules restrict SFOSTS to those that treat sewage only. Small flow facilities may be able to install a SFOSTS approved by the local health department only if their wastewater is segregated. These types of facilities must obtain a permit from Ohio EPA for any mixed wastewater or for the non-sewage portion of their wastewater (such as medical waste, industrial waste, or chemical-laden wastewater). Discharging small flow systems do not meet the definition of SFOSTS and will remain under Ohio EPA authority. Any system that proposes to expand beyond 1,000 gallons per day treatment capacity will remain or return to Ohio EPA authority.

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- 3) Ohio EPA will conduct a detailed technical review of the application and plans. Based on Ohio EPA's review, you may be requested to submit additional information.
- 4) Agency staff will prepare a recommended permit action and present the recommendation to the Director of Ohio EPA. The Director may issue a final permit, issue a proposed denial or request additional information.
- 5) Final and proposed actions will be published in *Ohio EPA's Weekly Review* and a legal notice is published in a newspaper of general circulation in the county where the project would be located. PTIs that are not subject to the antidegradation rule (i.e. – are linked to an NPDES permit) are issued as a final action. When a draft permit is issued, a 30-day comment period begins, providing citizens an opportunity to comment on the draft and to request a public hearing.

The issuance of a permit approval or denial are final actions of the Director. Ohio EPA will issue a public notice announcing issuance or denial. Final actions may be appealed to the *Environmental Reviews Appeals Commission (ERAC)*.

Ohio EPA's Division of Surface Water (DSW) has many helpful resources to assist you in completing PTI applications. Guidance documents, frequently asked questions and reference documents are available at *DSW's wastewater PTI webpage*.

What are typical permit requirements?

- You are required to use the appropriate application forms prescribed by Ohio EPA.
- You must submit engineering plans/design criteria (signed, stamped by professional engineer).
- Your proposed activity must make use of best available technology or best available demonstrated control technology.
- You proposed activity must be in conformance with Ohio EPA guidelines and policies, or justification for variance.
- You proposed activity must be in compliance with effluent limitations.
- Construction must follow strict conformance with your permit.
- You must maintain operation and maintenance records.

How long does the permit review process take?

Generally, Ohio EPA's review process for Waste Water Treatment, Collection and Disposal system PTIs takes up to 180 days after receiving a complete application. For smaller projects that are less technically complex, the review process may take less time. For complex projects, additional time may be needed to complete the review. To ensure that adequate time is provided to get through the review process, it is recommended that you submit your PTI application at least six months before construction is scheduled to start (or earlier for large projects).

What is antidegradation and how can it affect my permit?

A permit application (PTI or NPDES) that increases the quantity of pollutants discharged to a *water of the state* (typically a pond, lake, ditch or receiving stream) may require an antidegradation review. Antidegradation review applies to both new discharges and facility expansions. Through the review process, Ohio EPA evaluates the change in water quality of the receiving water body due to the new or increased discharge. Under the antidegradation process, you must:

- identify substances to be discharged (concentration and mass);
- demonstrate the social, economic and environmental benefits of the project to the public;
- provide an estimate of social, economic and environmental costs if water quality is lowered;

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- evaluate alternatives that would reduce the total quantity of pollutants to be discharged; and
- implement one of the alternatives if determined by the Director of Ohio EPA to be reasonable and achievable.

Note: A minimum of six months is usually needed to complete the antidegradation review process. Additionally, formal public hearings may be conducted as part of the permit process.

Where do I get application forms?

Wastewater PTI application forms can be downloaded from [DSW's wastewater PTI webpage](#).

Wastewater Discharges

National Pollutant Discharge Elimination System (NPDES) Permit

Who must apply?

If a municipality, industry or other business wants to discharge wastewater to *waters of the state*, they must first obtain a permit from the Ohio EPA Division of Surface Water (DSW). This permit is called a National Pollutant Discharge Elimination System (NPDES) permit. Examples of waters of the state include streams, rivers, lakes, ponds, marshes, watercourses, waterways, wells and springs. Wastewater discharges entering a conveyance system (like a ditch or storm sewer) that leads to a waterway may also require an NPDES permit.

NPDES permits limit the quantity of pollutants in wastewater discharges and establish other compliance requirements, such as monitoring, record-keeping and operating conditions. The conditions of the permit help protect public health and the aquatic environment by ensuring compliance with Ohio's water quality standards and federal regulations.

Does every source need a permit?

No, there are some permit exclusions outlined in [40 CFR 122.3](#).

How long is the permit valid?

NPDES permits are typically issued for a period of five years.

How much does a permit cost?

For current fees, see [Ohio EPA's Fee Schedule](#).

What are some typical requirements in an NPDES permit?

- Effluent limitations.
- Monitoring requirements (frequencies, sample type, seasonal, parameters, etc.).
- Specific operating conditions.
- Compliance schedules for submissions of reports, plant upgrades, studies, etc.
- Pretreatment program implementation and whole effluent toxicity monitoring (where applicable).
- General definitions and regulatory requirements.

APPLICABLE LAWS AND RULES

- ✓ [Clean Water Act](#)
- ✓ 40 CFR [122 through 136](#) and [400 through 471](#)
- ✓ ORC Chapter [6111](#)
- ✓ OAC Chapters [3745-1](#), [3745-2](#) and [3745-33](#)

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What is the NPDES permit application process?

- 1) You must submit a complete application at least 180 days prior to discharging or if you have an existing individual NPDES permit, at least 180 days prior to the expiration of your current permit. If appropriate, your application needs to include information as required by the antidegradation rules.
- 2) Ohio EPA will perform a cursory review of the application to determine the completeness of the application. You will be informed of any deficiencies and/or requests additional information needed for Ohio EPA to consider the application complete. Ohio EPA's cursory review usually will happen within 30 days of receiving the application.
- 3) Once the application is considered complete and technically adequate, Ohio EPA will draft the permit.
- 4) Your district inspector will typically schedule a pre-permit site inspection to verify information in the application.
- 5) If the application is subject to the antidegradation rules a public notice requesting comments on the proposed activity may be made prior to the issuance of a draft permit.
- 6) Ohio EPA will make a public notice announcing the receipt of the application and the proposed draft permit. There is a 30-day public comment period on draft permits. After the 30-day comment period, Ohio EPA will respond to comments and may hold a public meeting.
- 7) Issuance of a final permit or issuance of a final denial are actions of the Director. Ohio EPA will issue a public notice announcing issuance or denial. Final actions may be appealed to the [Environmental Reviews Appeals Commission \(ERAC\)](#).

How long does the review process take?

Ohio EPA's goal is to take final action on a discharge application within 180 days after receiving a complete application. If the antidegradation rule is involved, the project is complicated, or the application requires considerable revisions, this may add more time to the review process. [DSW's Overview of Individual NPDES Permit Process](#) has many helpful resources to aid you in the permitting process.

What is antidegradation and how can it affect my permit?

A permit application (PTI or NPDES) that increases the quantity of pollutants discharged to *waters of the state* (typically a pond, lake, ditch or receiving stream) may require an antidegradation review. Antidegradation review applies to both new discharges and facility expansions. Through the review process, Ohio EPA evaluates the change in water quality of the receiving water body due to the new or increased discharge. Under the antidegradation process, you must:

- identify substances to be discharged (concentration and mass);
- demonstrate the social, economic and environmental benefits of the project to the public;
- provide an estimate of social, economic and environmental costs if water quality is lowered;
- evaluate alternatives that would reduce the total quantity of pollutants to be discharged; and
- implement one of the alternatives if determined by the Director of Ohio EPA to be reasonable and achievable.

Note: A minimum of six months is usually needed to complete the antidegradation review process. Additionally, formal public hearings may be conducted as part of the permit process.

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Where do I get application forms?

Individual NPDES application forms can be downloaded from [Ohio EPA's individual wastewater discharge permit applications webpage](#).

Wastewater Discharges

Indirect Discharge Permit Pretreatment Program Permit

Who must apply?

If you want to discharge industrial wastewater to a publicly owned treatment works (POTW), you are regulated under Ohio EPA's pretreatment program. Process wastewater is often contaminated by a variety of toxic or otherwise harmful substances, because POTWs are not specifically designed to treat industrial wastes, pretreatment programs are needed to help control contaminants in discharges and prevent problems at the POTW.

Ohio EPA's Division of Surface Water (DSW) is responsible for implementing the pretreatment program. In many cases, however, control over what goes into sewers is best handled at the local level. Ohio EPA has delegated pretreatment program responsibilities to some local governments. Delegated areas have Ohio EPA-approved pretreatment programs. An industrial user that discharges to an Ohio EPA-approved pretreatment program must contact the local POTW for any discharge permitting requirements prior to discharging industrial waste water to the POTW. Be aware that if the permit issued by the local POTW requires you to install additional treatment at your facility, a permit-to-install (PTI) may be required. Contact your Division of Surface Water contact at the appropriate [Ohio EPA district office](#).

Some areas may not have an approved pretreatment program. In these areas, Ohio EPA directly regulates and permits industrial users. Any significant industrial user, defined in [OAC rule 3745-36-02\(V\)](#) that discharges process wastewater into a POTW that does not have an Ohio EPA-approved pretreatment program must apply for an indirect discharge permit from Ohio EPA.

How do I know if my local POTW has an approved program?

You can find out if a POTW has an approved pretreatment program by either contacting Ohio EPA or visiting [DSW's pretreatment program webpage](#).

How long is Ohio EPA's indirect discharge permit valid?

An Ohio EPA indirect discharge permit is effective for five years.

How much does Ohio EPA's indirect discharge permit cost?

For current fees, see [Ohio EPA's Fee Schedule](#).

What are some typical requirements of Ohio EPA's indirect discharge permit?

- You must follow all effluent limitations, monitoring and/or best management practices, Toxic Organic Management Plans and pollution prevention plans.
- You must follow all procedures for submitting compliance monitoring reports (for example, sampling for noncompliance, slug loading notification, record keeping and disposal of residuals).
- You must follow all compliance schedules for treatment system installation and upgrades.
- You must follow general and specific discharge prohibitions.

APPLICABLE LAWS AND RULES

- ✓ ORC Chapter [6111](#)
- ✓ OAC Chapters [3745-3](#) and [3745-36](#)

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- You must follow all applicable notification requirements for discharge changes.
- You must follow signatory requirements.

What is Ohio EPA's indirect discharge permit application process?

- 1) You must submit a complete application at least 180 days prior to discharging.
- 2) Ohio EPA will perform a cursory review of the application to determine the completeness of the application. You will be informed of any deficiencies and/or requests additional information needed for Ohio EPA to consider the application complete. Ohio EPA's cursory review usually will happen within 30 days of receiving the application.
- 3) Once your application is considered complete and technically adequate, Ohio EPA will draft the permit.
- 4) Your district inspector will typically schedule a pre-permit site inspection to verify information in the application.
- 5) Ohio EPA will announce through a public notice, receipt of the application and the proposed draft permit. There is a 30-day public comment period for interested parties to submit comments.
- 6) After the 30-day comment period, Ohio EPA will respond to comments and may hold a public meeting in necessary.
- 7) Issuance of a final permit or issuance of a final denial are actions of the Director. Ohio EPA will issue a public notice announcing issuance or denial. Final actions may be appealed to the [Environmental Reviews Appeals Commission \(ERAC\)](#).

How long does Ohio EPA's indirect discharge permit process take?

The Agency's performance standard for issuing a final action is within 180 days after receiving a complete application.

Where do I get application forms?

Ohio EPA's indirect discharge permit application forms can be downloaded through [DSW's pretreatment program webpage](#). You can also contact your local [Ohio EPA district office](#) to receive application forms. If you are discharging to a POTW with an approved pretreatment program, you must contact the POTW directly for permit application forms.

Storm Water Discharges

National Pollutant Discharge Elimination System (NPDES) Permit

Who needs to apply?

The NPDES storm water program is mandated under the Clean Water Act (CWA) and addresses storm water runoff that can adversely affect water quality. Companies regulated under the program must get a permit and implement controls to prevent pollutants from being carried by storm water runoff into local water bodies.

Certain industrial facilities, depending on their [Standard Industrial Classification \(SIC\)](#) or [North American Industry Classification System \(NAICS\)](#) codes, are regulated under the storm water program.

In addition, any construction activity that disturbs one or more acres requires a storm water permit and

APPLICABLE LAWS AND RULES

- ✓ [Clean Water Act](#)
- ✓ 40 CFR [122.26](#)
- ✓ 40 CFR [122.30 through 122.37](#)
- ✓ ORC Chapter [6111](#)
- ✓ OAC Chapter [3745-39](#)

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pollution prevention plan. This would include any construction activity that might itself be less than one acre but is part of a larger project that disturbs one or more acres in its entirety.

There are two types of storm water permits, individual and general. A general permit covers facilities that have similar operations and discharges. There are several general storm water permits available for common industrial activities and for construction projects. In situations where general permit is either not available or not applicable to a specific activity, a company must get an individual storm water permit from Ohio EPA.

How do I find out if my industrial activity needs a permit?

You must first determine if your activity falls into one or more of specific industrial categories requiring a permit. These ten categories include specific SIC* codes and other industrial activities:

- 1) facilities subject to federal storm water effluent discharge standards;
- 2) heavy manufacturing (for example, paper mills, chemical plants, petroleum refineries, steel mills, foundries);
- 3) coal and mineral mining and oil and gas exploration and processing;
- 4) hazardous waste treatment, storage or disposal facilities;
- 5) landfills, land application sites, and open dumps with industrial wastes;
- 6) metal scrap yards, salvage yards, automobile junkyards and battery reclaimers;
- 7) steam electric power generating plants;
- 8) transportation facilities with maintenance, equipment cleaning or airport deicing operations;
- 9) domestic sewage treatment works with design flow of one million gallons a day or more; and
- 10) light manufacturing (for example, food processing, printing and publishing, electronic and electrical equipment manufacturing, public warehousing and storage).

* Although the North American Industrial Classification System (NAICS) has replaced the SIC system, the rules still refer to SIC codes.

Are there any exemptions from the industrial storm water permit requirements?

Yes. If your facility falls into any of the above categories, you can still be exempt from the requirement to get a storm water permit if you can certify to Ohio EPA that your industrial materials and operations are not exposed to storm water. Ohio EPA has developed a [“No Exposure Certification” application form](#) and is using the [federal U.S. EPA guidance](#) document to determine whether you are eligible for the no exposure exemption.

As long as you maintain the condition of “no exposure” at a facility that you have certified, you are excluded from NPDES industrial storm water permit requirements provided that you submit a written certification of no exposure to the DSW at least once every five years. Ohio EPA is the NPDES authority in Ohio.

Who needs a storm water construction permit?

If any construction project disturbs one or more acres of ground, you are required to get a permit to discharge storm water from your site. If your project disturbs less than one acre but is part of a larger plan of development or sale, you also need a permit to discharge storm water from the site. Most construction sites are eligible for coverage under [Ohio EPA’s general storm water construction permit](#).

Where can I get information on developing a storm water pollution prevention plan (SWP3) for construction activity?

For more information, please see [Ohio EPA’s Storm Water Pollution Prevention Plan Checklist](#). You may also wish to visit [U.S. EPA’s National Pollutant Discharge Elimination System webpage](#).

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What is the process for getting a storm water permit?

There are two options when applying for a storm water discharge permit for both industrial and construction activities. The first option is to submit an individual NPDES permit application. The second option is to file a notice of intent (NOI) form requesting coverage under a general permit. The general permit process is usually easier and faster than the individual permit process.

Ohio EPA has [general permits](#) for both construction and industrial activities. However, some industrial activities are not eligible for industrial storm water general permit coverage, such as landfill, bulk terminals and certain mining activities.

If the industrial or construction activities are not eligible for coverage under the general permit, you must apply for an [individual storm water management permit](#).

How long does the storm water permit process take?

NOI applications for general permit coverage are processed in the order they are received. For construction activities, the NOI should be submitted at least 21 days prior to the start of construction (disturbance of surface). For industrial facilities, the NOI should be submitted at least 180 days prior to beginning operations.

How long is a storm water permit valid?

The storm water general permits are effective for five years. When a general permit is renewed (at least once every five years), anyone who is covered under the general permit must re-apply for coverage under that permit, in accordance with instructions issued by Ohio EPA. Construction activity projects may request continued coverage once contacted by Ohio EPA while other activities must submit a new NOI.

How much does it cost to get a storm water permit?

For current fees, see [Ohio EPA's Fee Schedule](#).

Where can I get application forms?

You can download forms through [Ohio EPA's storm water program webpage](#).

IMPORTANT POINTS ABOUT THE CONSTRUCTION STORM WATER PERMIT

- ✓ Wait until you receive your approval letter from Ohio EPA stating that you are covered under the general permit before you start construction activities at the site.
- ✓ Make sure contractors, subcontractors and staff understand their roles in carrying out the requirements of the permit.
- ✓ Implement your storm water pollution prevention plan.
- ✓ Once construction activity starts, don't forget regular maintenance and inspection of sediment and erosion controls and storm water management facilities.

Class I Underground Injection Wells

Permit-to-Drill and Permit-to-Operate

Who must apply?

Class I injection wells are used to dispose of hazardous and nonhazardous waste fluids by injecting these fluids into deep rock formations, far beneath any underground source of drinking water.

Any person desiring to drill a Class I well must receive a permit-to-drill prior to construction. After the well is constructed, you must also obtain a permit-to-operate prior to

APPLICABLE LAWS AND RULES

- ✓ [Safe Drinking Water Act](#)
- ✓ 40 CFR [144 through 148](#)
- ✓ ORC Chapter [6111](#)
- ✓ OAC Chapter [3745-34](#)

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commencing injection. Permits are granted only after extensive data review, followed by issuance of draft permits which are open to public comment.

How long is the permit valid?

Permits are good for up to five years. Under the conditions of the permits-to-drill, you must begin construction within 18 months of issuance.

How much does it cost?

For current fees, see [Ohio EPA's Fee Schedule](#).

What is the application process?

- 1) Contact the Ohio EPA, [Division of Drinking and Ground Waters \(DDAGW\)](#), [Underground Injection Control \(UIC\) unit](#).
- 2) Submit a plan for performing a seismic survey in the area around the location of the proposed Class I well. The plan must be approved by the Director of Ohio EPA.
- 3) Perform the seismic survey per the approved plan and submit the seismic survey report with the permit to drill application.
- 4) Submit five copies of a complete application to the [Division of Drinking and Ground Waters \(DDAGW\)](#), [Underground Injection Control \(UIC\) program](#). If you are proposing to construct a Class I well, you must submit a permit to drill application. If the Class I well has been constructed per a permit-to-drill, then a permit-to-operate application must be submitted prior to injection. Steps 5 to 9 apply to either type of permit application.
- 5) The UIC unit reviews the application for completeness. Once the application is determined to be complete, four copies are sent to [Ohio Department of Natural Resources \(ODNR\)](#) for their review per statute.
- 6) The UIC unit reviews the application for technical adequacy. ODNR and Ohio EPA comments are sent to the applicant.
- 7) Once the application is complete and technically adequate, a draft permit action is prepared and public noticed. The public comment period lasts 30 days. A public information session and public hearing are held.
- 8) Public comments are reviewed and considered. DDAGW makes a final recommendation to the Director of Ohio EPA.
- 9) Final approval or denial of the permit is public noticed and subject to appeal for 30 days. Issuance of a final permit or issuance of a final denial are actions of the Director. Ohio EPA issues a public notice announcing issuance or denial. Final actions may be appealed to the [Environmental Reviews Appeals Commission \(ERAC\)](#).

NOTE

Anyone interested in obtaining a permit for a Class II injection well (for injection of fluids associated with oil and natural gas production) should contact the Ohio Department of Natural Resources, [Division of Oil and Gas Resources Management](#) at (614) 265-6633.

Application for renewal of an existing permit-to-operate must be made at least 180 days prior to permit expiration.

What are some typical requirements?

To protect underground sources of drinking water, all Class I wells have very strict siting, construction, operation and maintenance requirements. Wells injecting hazardous wastes have more siting requirements (including an extensive no-migration demonstration) which are reviewed and approved by U.S. EPA and Ohio EPA. The applicant must show that there will be no migration of hazardous constituents from the injection

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interval as long as the wastes remain hazardous. Each Class I well must be permitted individually. Other requirements include:

- sampling, monitoring and record-keeping;
- completing closure, post-closure and financial responsibility;
- testing formation and well integrity; and
- creating a waste minimization plan.

Hazardous waste disposal wells are subject to more stringent operating, monitoring, testing and reporting.

Where can I get more information?

For more information, visit [DDAGW's UIC unit](#).

Class V Underground Injection Wells

Permit-to-Drill and Permit-to-Operate

Who must apply?

Class V injection wells encompass a large variety of well types (usually shallow), including disposal wells and septic systems. Often, Class V wells are in rural or unsewered areas. In many of these areas, particularly rural areas, people depend on ground water for their drinking water. Because of the potential for possible ground water contamination, it is very important to control the construction and operation of Class V wells.

The installation of Class V injection wells injecting industrial waste or other waste (as defined by OAC rule [3745-34-01](#)) requires a permit-to-drill and a permit-to-operate from Ohio EPA. You can concurrently apply for both the Class V permit-to-drill and permit-to-operate.

How long is the permit valid?

Permits are valid for up to five years. Under the conditions of the permits-to-drill, you must begin construction within 18 months of issuance.

How much does the permit cost?

For current fees, see [Ohio EPA's Fee Schedule](#).

What is the permit application process?

- 1) Submit five copies of a complete application to Ohio EPA, [DDAGW, UIC unit](#). For Class V wells, the permit-to-drill and permit-to-operate applications can be submitted concurrently. Although they may be submitted together, they are considered two applications, so permit fees must be paid on both applications.
- 2) The UIC unit reviews the applications for completeness. Once the applications are determined to be complete, Ohio EPA is required by statute to send copies to ODNR for their review.
- 3) The UIC unit reviews the application for technical adequacy. ODNR and Ohio EPA comments sent to applicant to address.
- 4) Once the application is complete and technically adequate, the Director of Ohio EPA can either:

APPLICABLE LAWS AND RULES

- ✓ [Safe Drinking Water Act](#)
- ✓ 40 CFR [144 through 148](#)
- ✓ ORC Chapter [6111](#)
- ✓ OAC Chapter [3745-34](#)

NOTE

Some Class V systems are illegal to operate. For example, all motor vehicle waste disposal wells and all large capacity cesspools are illegal to operate under both federal and Ohio regulations.

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- a. approve or deny the permit application as a final action, with a public notice but no public meeting or comment period; or
 - b. chose to issue a draft permit action with a public notice.
- 5) If a draft action is issued, a 30-day public comment period begins and a public information session and public hearing are held. After reviewing public comments received, DDAGW makes a final recommendation to the Director of Ohio EPA.
- 6) Final approval or denial of the permit is public noticed and subject to appeal for 30 days. Issuance of a final permit or issuance of a final denial are actions of the Director. Ohio EPA issues a public notice announcing issuance or denial. Final actions may be appealed to the *Environmental Reviews Appeals Commission (ERAC)*.

In addition to obtaining a permit, you are also required to register any Class V well with Ohio EPA. Registration is done by submitting a completed inventory form to Ohio EPA. You are not authorized to operate a Class V injection well unless an inventory form has been completed and submitted to Ohio EPA.

What are some typical permit requirements for Class V injection wells?

- Following standards for design, construction and operation;
- Conducting sampling and reporting;
- Completing closure requirements and financial responsibility; and
- Adhering to prohibitions on the types of wastes that may be disposed of in the well.

Where can I get more information?

For more information, visit *DDAGW's UIC unit*.

Wetlands Activity

Section 401 Water Quality Certification

Section 401 of the Clean Water Act (CWA) requires state agencies to evaluate projects that will result in the discharge of dredged or fill material into waters of the U.S. to determine whether the discharge will violate water quality standards. *Section 401 certification* may not be granted for projects that will violate the state's water quality standards. A Section 401 certification is required for activities that require federal permits such as a U.S. Army Corps of Engineers (Corps) Section 404 permit.

Who must apply?

If you want to place dredged or fill material into wetlands or streams you must apply for an individual Section 401 certification, unless your project meets the applicable conditions for a nationwide permit, as described below. Activities typically requiring 401 certifications include stream rerouting, placing streams in culverts, filling wetlands and filling in lakes. Projects that sometimes require a 401 certification include construction activities at highways, marinas/docks, shopping malls, housing subdivisions and strip mining operations.

APPLICABLE LAWS AND RULES

- ✓ *Clean Water Act*
- ✓ 40 CFR Parts *230 thru 233* and *33 CFR Parts 320 thru 330*
- ✓ ORC *6111.30* and *6111.31*
- ✓ ORC *3745.114*
- ✓ OAC Chapter *3745-32*
- ✓ OAC *3745-1-01 through 32*
- ✓ OAC *3745-1-50 through 54*

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How long is the 401 certification valid?

Unless a different timeframe is established in the certification, the 401 certification is valid as long as the corresponding Corps individual Section 404 permit is valid, which is typically five years.

How much does it cost?

For current fees, see [Ohio EPA's Fee Schedule](#).

What is the application process?

You must first issue a public notice regarding submittal of each Section 401 application for a period of 30 days to solicit public comment. Ohio EPA may conduct a public hearing upon request or if the Director of Ohio EPA determines that the project is complex or controversial. As part of the application you must present an evaluation of the various alternatives to the activity that they are seeking certification for and must discuss the social and economic impacts that will result from the project.

State law requires that 401 water quality certifications be issued within 180 days of Ohio EPA receiving a complete application. Applications must be complete before Ohio EPA will initiate the review process.

What are some typical requirements of a Section 401 certification?

You must mitigate wetland impacts by restoring, enhancing, or preserving wetlands in accordance with the wetland water quality standards. Ohio EPA may also require you to mitigate stream impacts by restoring impacted stream segments or purchasing conservation easements within the impacted watershed.

What are nationwide permits?

Specific activities that will have minimal environmental impacts may be authorized by the Corps under [nationwide permits](#) (NWP). Ohio EPA has pre-granted 401 certification for the activities covered by the NWPs. If the activities meet the conditions of the NWP and the corresponding pre-granted 401 certification, the project does not need an individual Section 401 water quality certification. In some cases, projects may require an individual 401 water quality certification even though they are covered by the NWPs. The Corps will notify the applicant in these situations. There are currently NWPs for approximately 50 specific activities. To determine whether a project qualifies for NWP coverage or requires an individual Section 401 water quality certification from Ohio EPA, you should contact the Corps and Ohio EPA's Division of Surface Water (DSW).

Pre-Application Guidelines for 401 Certifications

Following these general guidelines can help ensure that your project is feasible and correctly planned. It is recommended that you determine the quantity and quality of streams and wetlands present on the proposed project site before purchasing the land or designing the project. Once this determination has been made, the next step should be an analysis of the economic feasibility of your project, including an evaluation of the potential steps necessary to avoid or minimize impacts to streams and wetlands on the site. If the project is still feasible, arrange a pre-application meeting with Ohio EPA prior to completing any final engineering designs.

Below are important points to consider with your project.

- To avoid costly redesign or delays, it is recommended that you involve Ohio EPA early in the planning process before any plans are finalized.
- Ohio EPA expects projects to be designed to conform to current water quality regulations. Failing to update older or outdated designs and Section 401 applications before submittal to Ohio EPA will result in delays in the review process.
- Certification review times depend on complexity of the project and public involvement requirements.

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- Any deadlines that you feel are necessary for the success of your project must be communicated to Ohio EPA at the time the application is submitted. Ohio EPA cannot make changes or exceptions in review procedures which are required by laws and rules.
- Projects that include green space or parkland set asides may be able to utilize these set asides to fulfill Ohio EPA's avoidance and minimization guidelines. When the project design layout is developed, Ohio EPA recommends that you incorporate areas such as the higher quality wetlands, streams and mature forest buffers on the site as the set asides. Project layouts which set aside such areas are more likely to meet the guidelines. Similarly, for applicants requesting certification for linear projects, Ohio EPA recommends locating projects and reducing construction limits to avoid and minimize impacts to high quality resources.

Where can I get application forms?

For additional information, visit [DSW's webpage](#).

Isolated Wetland Permit

Who must apply?

In a 2001 decision, the U.S. Supreme Court ruled that the U.S. Army Corps of Engineers (Corps) did not have authority to regulate isolated wetlands under Section 404 of the Clean Water Act (CWA). Prior to that ruling, the Corps regulated activities in all streams and wetlands through the issuance of Section 404 permits. Following this court decision, the Ohio legislature gave Ohio EPA authority to issue permits for activities in isolated wetlands.

If you want to place dredged or fill material into isolated wetlands you must apply for and receive an isolated wetland permit from Ohio EPA. An isolated wetland is one that is not adjacent or connected to navigable waters (for example, lakes, ponds, streams, rivers). Typical projects that may require an isolated wetland permit include highway construction, commercial development, utility line projects and residential development.

APPLICABLE LAWS AND RULES

- ✓ ORC Chapters [6111.020 thru 6111.028](#)
- ✓ ORC Chapter [3745.113](#)
- ✓ OAC rules [3745-1-50 through 54](#)

How long is the individual isolated wetland permit valid?

It is valid for five years.

How much does it cost?

For current fees, see [Ohio EPA's Fee Schedule](#).

What is the application review process?

The application review process has three levels depending on the type and size of wetlands that will be disturbed in the project.

For a proposal to fill a category 1 or a category 2 isolated wetland (one-half acre or less in size).

This requires a [general state isolated wetland permit](#) and is subject to a level one review. A level one review requires the submission of a pre-activity notice that includes an application, an acceptable wetland delineation, a wetland categorization, a description of the project, a description of the acreage of the isolated wetland that will be subject to filling, site photographs and a mitigation proposal for the impact to the isolated wetland. A general permit is effective for five years.

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Within 15 business days after receiving the pre-activity notice, Ohio EPA will notify you whether the application is complete, including identifying additional information needed. If the you fail to provide additional information within 60 days, Ohio EPA may return the application and take no further action.

After receiving a complete pre-activity notice, you will receive notice within 30 days if the project is not authorized under the general permit. Within 30 days, if the applicant does not receive a notice that the project is not authorized, the applicant may move forward with the proposed project in accordance with the [conditions stated in the general permit](#). There is a two-year time limit on this.

For a proposal to fill a category 1 isolated wetland (greater than one-half acre in size) or a category 2 isolated wetland (greater than one-half acre but less than three acres).

This requires an individual state isolated wetland permit and is subject to level two review. The level two review requires submission of a pre-activity notice and supporting information (see above), an analysis of practicable on-site alternatives that would have a less adverse impact on the isolated wetland ecosystem and information indicating whether [high quality waters](#) are to be avoided by the proposed filling of the isolated wetland. An individual permit is effective for five years.

Proposals to fill a category 2 isolated wetland (greater than three acres) or a category 3 isolated wetland require an individual state isolated wetland permit and are subject to level three review requirements.

The level three review requires submission of a pre-activity notice and supporting information (see above) and information indicating whether [high quality waters](#) are to be avoided by the proposed filling of the isolated wetland. In addition, level three review requires a full antidegradation review. An individual permit is effective for five years.

Both levels 2 and 3 reviews require public notice and possible public hearings. Ohio EPA must take an action within 90 days for level 2 reviews and 180 days for level 3 reviews.

What are some typical requirements of an isolated wetland permit?

You must mitigate isolated wetland impacts by restoring, enhancing or preserving wetlands in accordance with [ORC 6111](#). Mitigation can occur via payment to an approved in-lieu fee sponsor, through purchase of wetland credits at an approved mitigation bank or via on-site or off-site mitigation.

Where can I get more information?

For more information on isolated wetland permits, including the general permit for isolated wetland activities see [Ohio EPA's water quality certification and isolated wetland permit webpage](#).

Public Water Systems

Plan Review and License to Operate

Who must apply?

Facilities that produce drinking water to supply public water systems are regulated by Ohio EPA's [Division of Drinking and Ground Waters](#) (DDAGW). A public water system is any system providing water through collection, treatment and distribution facilities where at least 25 people have access to the water any 60 days out of the year. This includes water used for drinking, bathing, showering, tooth brushing, food preparation or dishwashing. Public water systems fall into three categories:

- 1) community water systems (municipal systems, rural water districts and mobile home parks);

APPLICABLE LAWS AND RULES

- ✓ ORC [6109](#)
- ✓ OAC Chapters [3745-7, 9, 81 through 89, 91, 92, 95, 96](#)

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- 2) nontransient, noncommunity water systems (schools, factories and office buildings); and
- 3) transient, noncommunity water systems (parks, motels, restaurants and churches).

If you are interested in establishing a public water system, you must contact DDAGW about permitting requirements. You must submit plans for constructing a treatment system along with the source of the water to be treated (well, stream, reservoir or lake). The plans and the source must be approved by Ohio EPA. Additionally, plans for making changes to an existing well or treatment system must also be approved by Ohio EPA. In most cases, you must also obtain a license from Ohio EPA to operate a public water system. Larger public water systems are required to have a certified operator in charge of the system.

NOTE

A private water system has less than 15 service connections and does not regularly serve an average of at least 25 people daily at least 60 days a year. Contact your local health department for more information on siting, construction permits and other requirements that apply to private water systems.

How much does it cost?

For current fees, see [Ohio EPA's Fee Schedule](#).

What is the plan approval process?

For a detailed description of the public water system plan review and approval process, see [Ohio EPA's Plan Review Procedures for Drinking Water Facilities](#).

What are some of the typical requirements?

- Obtaining plan approval and license from Ohio EPA.
- Having a certified operator to operate the system, where applicable.
- Testing drinking water and reporting results to Ohio EPA.
- Complying with all notification requirements specific to your system.
- Correcting any compliance problems.

Where can I get more information?

For more information, see [DDAGW's public water systems webpage](#).

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Appendix A - Glossary

This glossary is meant to give readers a general understanding of the terms used in this handbook. These definitions may vary from the specific legal definitions found within the rules and regulations.

Asbestos — A mineral fiber that can pollute air or water and cause cancer or asbestosis when inhaled. U.S. EPA has banned or severely restricted its use in manufacturing and construction.

Asbestos-containing Material — Any material containing more than one percent asbestos by weight, including particulate asbestos material.

Best Available Technology (BAT) for Air Pollution Control Permits — A case-by-case determination of an emission limit and/or control technique which, taking into account environmental, energy and economic considerations, represents the maximum emission control achievable by the source. The primary purpose of this requirement is to ensure that all new air emission sources are controlled with BAT at the time of source installation. This level of control is necessary to ensure that the ambient air impact of the new source is minimized.

Construction and Demolition Waste — Wastes, including building materials, dredging materials, tree stumps and rubble resulting from construction, remodeling, repair, demolition of homes, commercial buildings and other structures. These may contain lead, asbestos or other hazardous substances.

Criteria Pollutant — Any pollutant for which U.S. EPA has established a National Ambient Air Quality Standard (NAAQS), specifically carbon monoxide, lead, nitrogen oxides, ozone, particulates and sulfur dioxide.

Direct Discharger — A municipal or industrial facility that introduces pollution into a water body through a defined conveyance or system such as outlet pipes.

Disposal Site — Land and facilities used for handling, transfer or disposal of hazardous or solid waste or resource recovery from solid waste (for example, landfills, transfer stations, hazardous waste facilities, incinerators).

Facility — All or part of any public or private building, structure, installation, equipment, vehicle or vessel.

Friable Asbestos Material — Any asbestos-containing material that, when dry, can be crumbled, pulverized or reduced to powder by hand pressure.

Hazardous Air Pollutant — An air pollutant listed in [Section 112\(b\)](#) of the Federal Clean Air Act.

Hazardous Waste — A waste is considered hazardous if:

- it is not excluded from regulation as a hazardous waste in OAC rule [3745-51-04\(B\)](#); and
- it exhibits a characteristic of hazardous waste; or
- it is listed in OAC rules [3745-51-30 to 3745-51-33](#); or
- it is a mixture of a waste and a hazardous waste.

High Quality Waters – This is a term used to describe all surface waters of the state except limited quality waters. Four categories of high quality waters are described in OAC rule [3745-01-05\(A\)\(10\)](#).

Indirect Discharge — Pollutants introduced into a publicly owned wastewater treatment system. Indirect dischargers include commercial or industrial facilities that have wastes entering local sewers.

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Infectious Wastes — Wastes that have, or are likely to have been, in contact with infectious agents that may present a substantial threat to public health, including such materials as: cultures and stocks of infectious agents, laboratory wastes, pathological wastes, blood specimens, contaminated body parts and needles (sharps).

Major Source (air pollution) — Under Title V, major sources are those stationary sources with a potential to emit:

- 100 tons per year or more of any one regulated pollutant (PM10, nitrogen oxides, sulfur dioxide, carbon monoxide, volatile organic compounds and lead);
- 10 tons per year or more of any one hazardous air pollutant (HAPs); or
- 25 tons per year or more of any two or more hazardous air pollutants.

Multimedia — All environmental media: land, water and air.

National Pollutant Discharge Elimination System (NPDES) — A permit that regulates wastewater discharges by limiting the quantities of pollutants in the discharge and establishing monitoring requirements and other conditions. Whenever a municipality, industry or other business wishes to discharge water to a surface water, it must first obtain a NPDES permit.

Non-friable Asbestos-Containing Material — Any asbestos-containing material that, when dry, cannot be crumbled, pulverized or reduced to powder by hand pressure.

POTWs (Publicly Owned Treatment Works) — Public sewage/wastewater treatment facilities.

Pollutant — Generally, any substance introduced into the environment that can adversely affect the usefulness of a resource.

Potential to Emit — The maximum capacity of a stationary source to release any air pollutant under its physical and operational design.

Pretreatment — Process used to reduce or eliminate wastewater pollutants before they are discharged into a publicly owned treatment works (POTW).

Process Wastewater — Any water that contacts any raw material, product, byproduct or waste.

Standard Industrial Classification (SIC) Codes — An indexing and classification system of business types developed by the U.S. Department of Commerce and used for census and statistical information. The North American Industry Classification System (NAICS) has replaced the SIC system. The U.S. Census Bureau has a [conversion table](#) to bridge the two systems.

Sanitary Waste — Waste discharged from sinks, showers, kitchens, rest rooms or other non-industrial operations.

Septic Tank — An underground storage tank for wastes from homes or businesses not connected to a sewer line. Waste goes directly from the source to the tank.

Solid Waste — Unwanted material from industrial, commercial, agricultural and community operations such as garbage, tires, combustible and noncombustible material, street dirt and debris. Solid waste does not include material classified as infectious or hazardous waste.

Storm Sewer — A system of pipes, separate from sanitary sewers, that carries only water runoff from buildings and land surfaces.

Surface Runoff — Precipitation, snow melt or irrigation water that cannot infiltrate the soil surface or be stored in small surface depressions. A major transporter of nonpoint source pollutants in rivers, streams and lakes.

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Surface Water — All water naturally open to the atmosphere (for example; rivers, lakes, reservoirs, streams, wetlands impoundments, seas and estuaries). Also refers to springs, wells or other collectors that are directly influenced by surface water.

Treatment, Storage or Disposal (TSD) Facility — A facility that conducts hazardous waste treatment, storage or disposal activities. Facilities must receive an Ohio EPA permit for these activities.

Universal Waste — Specific hazardous waste streams (for example; lamps, batteries, mercury-containing thermostats and pesticides) that the generator can choose to manage in an alternative manner in place of more complex hazardous waste requirements.

Universal Waste Destination Facility — A permitted facility that treats, disposes or recycles universal wastes.

Volatile Organic Compounds (VOCs) — Chemical compounds that easily evaporate into the atmosphere where they can react with sunlight to produce ground-level ozone or smog.

Wastewater — The spent or used water from a home, community, farm or industry that contains dissolved or suspended matter.

Water Pollution — Harmful or objectionable material present in sufficient quantities to affect or reduce the water's quality.

Wetlands — An area that is saturated by surface or ground water and contains vegetation adapted for life under those soil conditions, such as swamps, bogs, fens, marshes and estuaries.

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Appendix B - Environmental Acronyms

Below are some common abbreviations and acronyms used for various divisions, offices and environmental regulations.

CAA — Clean Air Act

CWA — Clean Water Act

CDO — Central District Office

CFR — Code of Federal Regulations

CRO — Cessation of Regulated Operations

DAPC — Division of Air Pollution Control

DDAGW — Division of Drinking and Ground Waters

DEFA — Division of Environmental and Financial Assistance

DERR — Division of Environmental Response and Revitalization

DMWM — Division of Materials and Waste Management

DO — District Office

DSW — Division of Surface Water

ERAC — Environmental Reviews Appeals Commission

NEDO — Northeast District Office

NWDO — Northwest District Office

OAC — Ohio Administrative Code

OCAPP — Office of Compliance Assistance and Pollution Prevention

ORC — Ohio Revised Code

PIC — Public Interest Center

PTI — Permit-to-Install

PTIO — Permit-to-Install and Operate

RCRA — Resource Conservation and Recovery Act

SDWA — Safe Drinking Water Act

SEDO — Southeast District Office

SWDO — Southwest District Office

UIC — Underground Injection Control

VAP — Voluntary Action Program

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Appendix C - Contacts

Ohio EPA District Offices

Central District Office

50 W. Town St., Suite 700
Columbus, OH 43215
Phone (614) 728-3778
FAX (614) 728-3898

Northeast District Office

2110 E. Aurora Rd.
Twinsburg, OH 44087
Phone (330) 963-1200
FAX (330) 487-0769

Northwest District Office

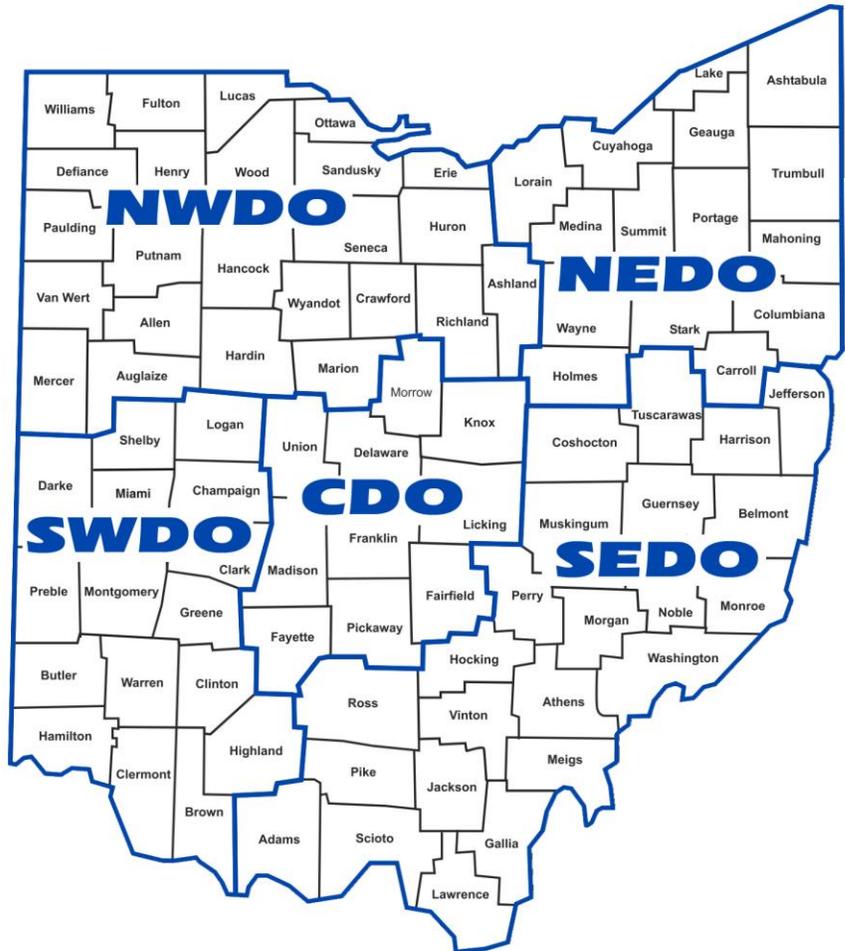
347 N. Dunbridge Rd.
Bowling Green, OH 43402
Phone (419) 352-8461
FAX (419) 352-8468

Southeast District Office

2195 Front St.
Logan, OH 43138
Phone (740) 385-8501
FAX (740) 385-6490

Southwest District Office

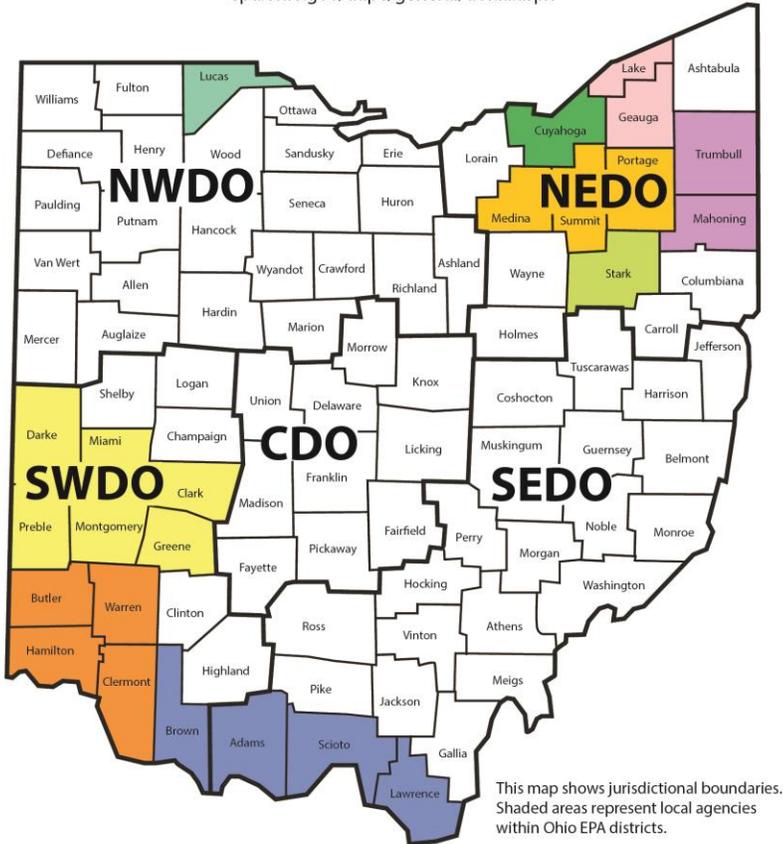
401 E. Fifth St.
Dayton, OH 45402
Phone (937) 285-6357
FAX (937) 285-6249



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Local Air Pollution Control Agencies

Division of Air Pollution Control
Ohio EPA, Central Office
(614) 644-2270
epa.ohio.gov/dapc/general/dolaa.aspx




Ohio Environmental Protection Agency

CDO 01 Kelly Toth, APC Manager
Central District Office
50 West Town Street, Suite 700
Columbus, OH 43215
(614) 728-3778 FAX (614) 728-3898
kelly.toth@epa.ohio.gov

SEDO 06 Jessica Kuenzli, APC Manager
Southeast District Office
2195 Front St.
Logan, OH 43138
(740) 385-8501 FAX (740) 385-6490
jessica.kuenzli@epa.ohio.gov

NEDO 02 Tim Fischer, Acting APC Manager
Northeast District Office
2110 E. Aurora Rd,
Twinsburg, OH 44087
(330) 963-1200 FAX (330) 487-0769
tim.fischer@epa.ohio.gov

NWDO 03 Mark Budge, APC Manager
Northwest District Office
347 North Dunbridge Rd.
Bowling Green, OH 43402
(419) 352-8461 FAX (419) 352-8468
mark.budge@epa.ohio.gov

SWDO 05 Craig Osborne, ES3
Southwest District Office
401 E. Fifth St.
Dayton, OH 45402-2911
(937) 285-6357 FAX (937) 285-6249
craig.osborne@epa.ohio.gov

16 Sam Rubens, Air Administrator
Akron Regional Air Quality
Management District
1867 West Market St.
Akron, OH 44313
(330) 375-2480 FAX (330) 752-7792
srubens@schd.org

13 David Hearne, Interim Commissioner
Cleveland Dept. of Public Health
Division of Air Quality
75 Erieview Plaza, 2nd Floor
Cleveland, OH 44114
(216) 664-2297 FAX (216) 420-8047
dhearne@city.cleveland.oh.us

07 Cindy Charles, Director
Portsmouth Local Air Agency
605 Washington St., Third Floor
Portsmouth, OH 45662
(740) 353-5156 FAX (740) 353-3638
cindy.charles@epa.ohio.gov

15 Terri Dzienis, APC Administrator
Air Pollution Control Division
Canton City Health Dept.
420 Market Ave., North
Canton, OH 44702-1544
(330) 489-3385 FAX (330) 489-3335
tdzienis@cantonhealth.org

08 Jenny Marsee, Unit Supervisor
Regional Air Pollution Control Agency
Public Health Dayton & Montgomery Cnty.
117 South Main St.
Dayton, OH 45422-1280
(937) 225-4435 FAX (937) 225-3486
marsee@rapca.org

04 Karen Granata, Administrator
City of Toledo
Division of Environmental Services
348 South Erie Street
Toledo, OH 43604
(419) 936-3015 FAX (419) 936-3959
karen.granata@toledo.oh.gov

14 Brad Miller, Assistant Director
Southwest Ohio Air Quality Agency
250 William Howard Taft Road
Cincinnati, OH 45219-2660
(513) 946-7777 FAX (513) 946-7778
bradley.miller@hamilton-co.org

20 Bert Mechenbier, Supervisor*
Lake County General Health District
Air Pollution Control
33 Mill Street
Painesville, OH 44077
(440) 350-2543 FAX (440) 350-2548
BMechenbier@lchgd.org

21 Tara Cioffi, Administrator*
Mahoning-Trumbull APC Agency
345 Oak Hill Ave., Suite 200
Youngstown, OH 44502
(330) 743-3333 FAX (330) 744-1928
tara.cioffi@ychd.com

*Facilities located within these jurisdictions should file air permit applications with Ohio EPA's Northeast District Office (NEDO).

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Ohio EPA Central Office Contacts

Ohio EPA, Central Office

50 W. Town St., Suite 700
Columbus, Ohio 43215
Phone (614) 644-3020
FAX (614) 644-3184

Director's Office

Phone (614) 644-2782

Air Pollution Control

Phone (614) 644-2270
FAX (614) 644-3681

Surface Water

Phone (614) 644-2001
FAX (614) 644-2745

Drinking and Ground Waters

Phone (614) 644-2752
FAX (614) 644-2909

Materials and Waste Management

Phone (614) 644-2917
FAX (614) 728-1245

Environmental Response and Revitalization

Phone (614) 644-2924
FAX (614) 644-3146

Environmental Services

Phone (614) 644-4247
FAX (614) 644-4272

Compliance Assistance and Pollution Prevention

Phone (800) 329-7518 or (614) 644-3469
FAX (614) 644-2807

Other Agencies

Bureau of Underground Storage Tanks (BUSTR) State Fire Marshal's Office

Phone (614) 752-7938 or (800) 686-2878

Occupational Safety and Health Administration (OSHA)

General Information Phone (800) 321-OSHA (6742)
On-site Consultation Program (Ohio Bureau of Workers' Compensation)
(800) 282-1425

Ohio OSHA Area Offices

- Cincinnati Area Office 36 Triangle Park Drive Cincinnati, Ohio 45246
Phone (513) 841-4132 FAX (513) 841-4114
- Cleveland Area Office 6393 Oak Tree Blvd., Suite 203, Independence, Ohio 44131-6964
Phone (216) 447-4194 FAX (216) 520-1624
- Columbus Area Office 200 N. High St., Room 620 Columbus, Ohio 43215
Phone (614) 469-5582 FAX (614) 469-6791
- Toledo Area Office 420 Madison Avenue, Suite 600 Toledo, Ohio 43604
Phone (419) 259-7542 FAX (419) 259-6355

Ohio Department of Agriculture, Pesticide & Fertilizer Regulation Section

Phone (614) 728-6987 or (800) 282-1955

Ohio Department of Natural Resources

Well Sealing – Phone (614) 265-6740

Mineral Resources – Phone (614) 265-6633

Oil and Gas Resources – Phone (614) 265-6922

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Public Utilities Commission of Ohio

Transportation of Hazardous Materials (waste) – Phone (614) 466-3392

Ohio Department of Transportation

Phone (614) 466-7170

The Clean Air Resource Center

Phone (614) 224-3383 50 W. Broad St., Suite 1718 Columbus, Ohio 43215

The Clean Air Resource Center offers free and confidential assistance to small business owners in Ohio on compliance with Ohio's air pollution control regulations. The Center provides loans for small businesses to purchase and install necessary air pollution control equipment. The Clean Air Resource Center's services are available at no cost.

U.S. Army Corps of Engineers

- ***Huntington District***
General (866) 502-2570
Permits (304) 399-5210
- ***Buffalo District***
General (800) 833-6390
Permits (716) 879-4330
- ***Louisville District***
General (502) 315-6686
Permits (502) 315-6733
- ***Pittsburgh District***
General (412) 395-7500
Permits (412) 395-7155

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Appendix D - Ohio EPA Webpages

Division of Air Pollution Control

The Clean Air Act requires U.S. EPA to set air standards to protect the public health and the environment. Ohio EPA's Division of Air Pollution Control (DAPC) has adopted rules that ensure those standards are met throughout Ohio. Goals of the division are to (1) attain and maintain Ambient Air Quality Standards (2) conform with the requirements of the Clean Air Act and Ohio Law and (3) protect public health.

To help in meeting these goals, DAPC staff in the districts conduct field inspections and review plans/ permit applications to ensure compliance with the rules. In addition, there are several local air pollution control agencies throughout Ohio delegated certain responsibilities from Ohio EPA.

Division of Drinking and Ground Waters

The Safe Drinking Water Act helps to assure that Ohio's citizens have an adequate supply of safe drinking water. The Division of Drinking and Ground Waters regulates all public water supply systems (PWSs). The Drinking Water Section oversees more than 6,500 PWSs in Ohio, ranging from large community systems for major Ohio cities to smaller public water systems such as those in schools, businesses and campgrounds. The ground water section works to ensure the availability of uncontaminated water for public drinking water systems supplied by ground water resources. This section is responsible for Ohio EPA's Underground Injection Control (UIC) program which regulates the types and amounts of waste that can be injected into underground geologic formations. The section coordinates activities within Ohio EPA and with other state agencies on issues related to ground water.

Division of Environmental Response and Revitalization

The Division of Environmental Response and Revitalization (DERR) implements Ohio's delegated hazardous waste management program under the Resource Conservation and Recovery Act of 1976 (RCRA). These laws and rules provide the authority to regulate facilities that generate, transport, treat, store, or dispose of hazardous waste.

Major hazardous waste-related responsibilities of this division include:

- inspecting hazardous waste handlers for compliance with the regulations;
- reviewing permit applications for hazardous waste facilities;
- reviewing plans for the proper closure of hazardous waste facilities; and
- providing technical assistance to municipalities, industry and the public.

Additionally, DERR focuses on addressing petroleum and chemical hazards in Ohio. To this end, the division supports a variety of preparedness, prevention and cleanup activities. They include: radiation safety, spill prevention, site investigation, orphan drum removals, emergency response and the Voluntary Action Program.

Office of Environmental Education

The Office of Environmental Education works to enhance public awareness and understanding of issues affecting environmental quality. This office also administers the Ohio Environmental Education Fund, which awards more than \$1 million annually in grants to primary and secondary schools, universities, environmental advocacy groups, industry associations, non-profit groups and others for projects that increase awareness and understanding of environmental issues throughout Ohio.

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Division of Materials and Waste Management

DMWM is responsible for Ohio EPA's solid and infectious waste programs under the Resource Conservation and Recovery Act. Municipal and industrial solid wastes, scrap tires, construction/demolition waste and infectious wastes are regulated under this division. The division's diverse activities relate to planning, legislative analyses, rule and policy making, technical/educational assistance, managing state disposal fees and project work.

Division of Environmental and Financial Assistance

The Division of Environmental and Financial Assistance works as a "one-stop-shop" for businesses and communities seeking compliance, technical or financial assistance for their environmental needs. The Division also recognizes an organization, community or business' exceptional achievements in environmental stewardship through the Encouraging Environmental Excellence program. Primarily, the Division:

- administers two large loan funds that help communities address their water and wastewater infrastructure challenges, as well as, a grant program that supports recycling and litter prevention efforts across the state;
- provides a variety of confidential technical assistance to help Ohio businesses and communities comply with regulations, increase performance while reducing operating costs (through pollution prevention and sustainability practices), and receive recognition through an environmental awards program; and
- actively reaches out to Ohio communities and businesses via in-person and electronic outreach tools to connect them with the help they may need.

Division of Surface Water

The Division of Surface Water is responsible for restoring and maintaining the quality of Ohio's rivers and streams. This division has many technical, permitting, educational and enforcement responsibilities that include:

- reviewing permit applications for municipal, commercial and industrial dischargers;
- reviewing plans for wastewater treatment systems, sanitary sewers, sludge disposal and land application of wastes;
- reviewing permit applications for storm water related discharges;
- regulating and monitoring discharge activities to determine compliance;
- assisting in the development and implementation of plans to help clean up Ohio's rivers; and
- overseeing wetland related activities.

eBusiness Center

Ohio EPA's secure portal for the regulated community and consultants to electronically complete and file Ohio EPA-related reports and permit applications. Live support is available 8:00 a.m. to 5:00 p.m. weekdays, excluding state holidays (877) 372-2499.

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Appendix E -Ohio EPA Permits/Web Links to Application Forms

Air Pollution Permit Application Forms

Surface Water Permit Application Forms

- *Permit-to-Install (PTI) and Plan Approvals*
- *Pretreatment Program: Indirect Discharge*
- *National Pollutant Discharge Elimination System (NPDES)*
- *NPDES Permits for Storm Water*
- *401 Certification/Wetland Permits*

Drinking Water System Plan Approval Forms

Underground Injection Well Permits

Hazardous Waste Facility Installation and Operation Permit Application Forms

Solid and Infectious Waste Permitting and Registration Forms

- Municipal Solid Waste Landfill (permit)
- Industrial Solid Waste Landfill (permit)
- Residual Solid Waste Landfill (permit)
- Solid Waste Compost Facility (Class I - permit; Class II-IV - registration)
- Solid Waste Transfer Facility (permit)
- Solid Waste Incinerator Facility (permit)
- Infectious Waste Treatment Facility (permit)
- Infectious Waste Generator and Transporter Registration
- Scrap Tire Monofill, Storage, Recovery and Collection Facility (permit or registration)
- Scrap Tire Transporter (registration)
- Scrap Tire Beneficial Use (approval)
- Construction and Demolition Debris Facility (license)
- Composting Operations (permit, registration, license)

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Appendix F - Environmental Permits That May Apply to Your Business

This information *should be used only as a general guideline*. Each facility can vary in its permitting needs.

A ♦ means that a permit is likely required.

Business/Activity	Air	Wastewater discharge, treatment and/or on-site septic systems	Storm Water	Solid/ Infectious Waste	Wetlands 401 Permit	Public Drinking Water System/Well	Hazardous Waste Permit or ID Number
Asbestos Abatement	♦			♦		♦	
Asphalt Plants	♦	♦	♦		♦	♦	
Auto Repair/Body Shops	♦	♦				♦	♦
Auto Salvage Yards	♦	♦	♦			♦	♦
Battery Recycling		♦	♦			♦	♦
Car Washes		♦				♦	
Chemical Manufacturing	♦	♦	♦			♦	♦
Composting			♦	♦		♦	
Concrete Plants	♦	♦	♦		♦	♦	
Construction Sites	♦	♦	♦	♦	♦	♦	
Crematoriums	♦	♦				♦	
Demolition	♦		♦	♦	♦	♦	
Dry Cleaners	♦	♦				♦	♦
Education/Vocational Shops	♦	♦					♦
Equipment Repair	♦	♦					♦
Electronic Mfg.	♦	♦				♦	♦
Fabricated Metal Products	♦	♦	♦			♦	♦
Feedlots	♦	♦	♦		♦	♦	
Food Processing	♦	♦	♦			♦	
Foundry	♦	♦	♦	♦	♦	♦	♦
Furniture Mfg./Repair	♦	♦					♦
Gas Stations	♦	♦				♦	
Golf Courses		♦	♦		♦	♦	
Grain Elevators	♦	♦				♦	
Incinerators	♦	♦		♦		♦	♦

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Business/Activity	Air	Wastewater discharge, treatment and/or on-site septic systems	Storm Water	Solid/ Infectious Waste	Wetlands 401 Permit	Public Drinking Water System/Well	Hazardous Waste Permit or ID Number
Laboratories	◆	◆		◆		◆	◆
Waste Haulers				◆			◆
Manufacturing	◆	◆	◆	◆		◆	◆
Medical Office/Vet Clinic	◆	◆		◆		◆	◆
Metal Plating/Finishing	◆	◆				◆	◆
Mining	◆	◆	◆	◆	◆	◆	
Painting Operation	◆	◆				◆	◆
Paper Mill	◆	◆	◆	◆	◆	◆	◆
Petroleum Storage	◆		◆			◆	
Primary Smelting	◆	◆		◆		◆	◆
Printing	◆	◆				◆	◆
Restaurant		◆				◆	
Sand & Gravel	◆	◆	◆		◆	◆	
Scrap Tire Handling			◆	◆	◆	◆	
Stream Relocation					◆		
Wood Products Mfg./ Refinishing	◆	◆	◆		◆	◆	◆



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epa.ohio.gov/ocapp

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