

3745-20-09

**Standard for roadways.**

[Comment: For dates of non-regulatory government publications, publications of recognized organizations and associations, federal rules, and federal statutory provisions referenced in this rule, see paragraph (C) of rule 3745-20-01 of the Administrative Code titled "Referenced materials."]

No person ~~may~~ shall construct or maintain a roadway with asbestos tailings or asbestos-containing waste material on that roadway, unless, for asbestos tailings, the roadway conforms to one of the following:

- (A) It is a temporary roadway on an area of asbestos ore deposits (asbestos mine); ~~or.~~
- (B) It is a temporary roadway at an active asbestos mill site and is encapsulated with a resinous or bituminous binder. The encapsulated road surface ~~must~~ shall be maintained at a minimum frequency of once per year to prevent dust emissions; ~~or.~~
- (C) It is encapsulated in asphalt concrete meeting the United States department of transportation, federal highway administration specifications contained in Section 401 of ~~FP-03~~ FP-14; "Standard Specifications for Construction of Roads and Bridges on Federal Highway Projects," or ~~their~~ an equivalent.

Effective:

Five Year Review (FYR) Dates: 11/30/2017

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Certification

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Date

Promulgated Under: 119.03  
Statutory Authority: 3704.03(E)  
Rule Amplifies: 3704.03(A), 3704.03(E)  
Prior Effective Dates: 11/18/2002, 02/02/2007, 03/02/2012