

**3745-599-05 Beneficial use - general exclusions.**

General exclusions. This chapter is not applicable to the following materials, including instances when a beneficial use byproduct is commingled with the material:

- (A) Agricultural additives regulated pursuant to Chapter 905. of the Revised Code and rules adopted thereunder.
- (B) Compost regulated pursuant to Chapter 3734. of the Revised Code and rules adopted thereunder.
- (C) Hazardous waste regulated pursuant to Chapter 3734. of the Revised Code and rules adopted thereunder.
- (D) Liquid wastes regulated pursuant to Chapter 6111. of the Revised Code and rules adopted thereunder other than liquid wastes resulting from the treatment of source water for drinking or industrial purposes from a public water system.
- (E) Sewage, sewage sludge, sludge, sludge materials, and biosolids for which an authorization has been issued under Chapter 6111. of the Revised Code and rules adopted thereunder.
- (F) Waste from oil and gas exploration and production operations including brine, regulated pursuant to Chapter 1509. of the Revised Code and rules adopted thereunder.
- (G) Material authorized under section 6111.32 of the Revised Code.

[Comment: For the purposes of this rule, material authorized under section 6111.32 of the Revised Code means material used for activities specified in division (C) of section 6111.32 of the Revised Code and that have received a 401 water quality certification pursuant to Chapter 3745-32 of the Administrative Code.

- (H) Materials injected into a well pursuant to Chapter 6111. of the Revised Code and rules adopted thereunder.
- (I) Used oil regulated pursuant to Chapter 3745-279 of the Administrative Code.