

**NOTICE OF ADOPTION OF RULES  
OHIO ENVIRONMENTAL PROTECTION AGENCY**

**Rules Governing**

**Beneficial Use Rules**

Notice is hereby given that the Director of the Ohio Environmental Protection Agency (Ohio EPA) has final filed the following rules of the Ohio Administrative Code:

3745-599-01	Beneficial use – applicability.	New
3745-599-02	Beneficial use – definitions.	New
3745-599-03	Beneficial use – incorporation by reference.	New
3745-599-05	Beneficial use – general exclusions.	New
3745-599-10	Beneficial use byproduct incorporated into certain construction materials or used as a fuel or as an ingredient in a combustion unit.	New
3745-599-20	Beneficial use – prohibitions.	New
3745-599-25	Beneficial use – signatures.	New
3745-599-30	Beneficial use - relationships among authorizing documents, rules, and the authority of the director and board of health.	New
3745-599-35	Beneficial use – legitimacy criteria.	New
3745-599-60	Approved sampling and characterization procedures for the beneficial use of a beneficial use byproduct.	New
3745-599-200	General beneficial use permit.	New
3745-599-210	Notice of intent to obtain coverage under a general beneficial use permit.	New
3745-599-220	Coverage under a general beneficial use permit.	New
3745-599-310	Application for an individual beneficial use permit.	New
3745-599-320	Issuance of an individual beneficial use permit.	New
3745-599-330	Notice and information for distribution - individual beneficial use permit.	New
3745-599-334	Generator obligations for record keeping and reporting – individual beneficial use permits.	New
3745-599-335	Distributor obligations for record keeping and reporting – individual beneficial use permits.	New
3745-599-340	Initial beneficial use byproduct characterization demonstration for individual beneficial use permits.	New
3745-599-345	Compliance demonstration for individual beneficial use permits.	New
3745-599-350	Changes to the beneficial use byproduct and the individual beneficial use permit.	New
3745-599-360	Renewal of an individual beneficial use permit.	New
3745-599-370	Denial and revocation of an individual beneficial use permit.	New

The Director's order of adoption was issued on October 20, 2016. These adopted rules will become effective on March 31, 2017.

The Director's action in this matter is pursuant to the procedural requirements of Ohio Revised Code Chapter 119 and is based upon the record of the public hearing conducted by Ohio EPA on August 29, 2016 and comments received during the public comment period.

You are hereby notified that this action of the Director is final and may be appealed to the Environmental Review Appeals Commission pursuant to Section 3745.04 of the Ohio Revised Code. The appeal must be in writing and set forth the action complained of and the grounds upon which the appeal is based. The appeal must be filed with the Commission within thirty (30) days after notice of the Director's action. The appeal must be accompanied by a filing fee of \$70.00, made payable to "Treasurer, State of Ohio," which the Commission, in its discretion, may reduce if by affidavit you demonstrate that payment of the full amount of the fee would cause extreme hardship. Notice of the filing of the appeal shall be filed with the Director within three (3) days of filing with the Commission. Ohio EPA requests that a copy of the appeal be served upon the Ohio Attorney General's Office, Environmental Enforcement Section. An appeal may be filed with the Environmental Review Appeals Commission at the following address:

Environmental Review Appeals Commission  
77 South High Street, 17th Floor  
Columbus, Ohio 43215