

3745-512-17

Alternative construction materials evaluation and reporting.

[Comment: For dates of non-regulatory government publications, publications of recognized organizations and associations, test methods, federal rules, and federal statutory provisions referenced in this rule, see rule 3745-500-03 of the Administrative Code titled "Incorporation by reference."]

(A) Upon approval by the permitting authority, the owner or operator may use an alternative construction material if the alternative construction material undergoes an evaluation in accordance with this rule prior to use to construct the facility.

[Comment: This rule requires approval prior to use of the alternative construction material; therefore, a construction certification report cannot include a request for approval of an alternative construction material.]

[Comment: As defined and instructed by the applicable program chapter, if use of the alternative construction material meets the definition of an alteration, the owner or operator shall also submit an alteration request (the alternative construction material evaluation may be included in the alteration request). If use of the alternative construction material meets the definition of a modification, the owner or operator shall also submit a permit to install application (the alternative construction material evaluation may be included in the permit to install application).]

(B) The alternative construction material evaluation shall be signed and sealed by a professional engineer and include the following:

(1) A narrative section that identifies the alternative construction material and the engineering component for which the alternative material will be used.

(2) A demonstration that the alternative construction material meets the approval requirements established in paragraph (E) of this rule, as applicable.

(C) The approval for use of an alternative construction material is valid only for the area identified in the alternative construction material request. If the alternative construction material is to be used in additional areas, the owner or operator shall submit another evaluation under this rule.

(D) Approval to use an alternative construction material does not relieve the owner or operator from complying with requirements established by this chapter and any specification in the authorizing document.

(E) The permitting authority shall not approve use of an alternative construction material unless the permitting authority determines the following:

(1) The alternative construction material is not a solid waste. This paragraph does not apply to the leachate collection system granular drainage layer.

- (2) Use of the alternative construction material does not interfere with the ability of the owner or operator to do the following:
- (a) Construct, operate, close, and maintain during the post-closure care period the facility in compliance with Chapters 3704., 3714., 3734., and 6111. of the Revised Code or rules promulgated thereunder and with authorizing documents.
 - (b) Conduct corrective actions presently being taken or that are proposed to be taken at the facility or in the immediate area including but not limited to fire, gas, odors, or ground water corrective actions.
 - (c) Monitor the impact of the facility on the environment.
- (3) The owner or operator has demonstrated the ability or is otherwise capable of using the alternative construction material.
- (4) For conveyance pipes in the leachate management system of a solid waste transfer facility, the alternative construction material and joints shall be capable of not leaking under anticipated pressures.

Effective:

Five Year Review (FYR) Dates:

Certification

Date

Promulgated Under:	119.03
Statutory Authority:	3734.02
Rule Amplifies:	3734.02