

**\*\*\* DRAFT – NOT FOR FILING \*\*\***

3745-520-03      **New construction and demolition debris facility - general obligations.**

- (A) No person shall establish a new C&DD facility without first obtaining a permit to install issued in accordance with this chapter by the appropriate permitting authority.
- (B) No person shall engage in construction activities at a C&DD facility without a permit to install issued in accordance with this chapter that authorizes those construction activities, unless the construction is necessary after revocation of a permit to install and authorized by the order that revoked the permit.
- (C) Except for alterations during construction as provided for in Chapter 3745-512 of the Administrative Code, no person shall alter the design of a C&DD facility without first obtaining concurrence from the concurring authority for an alteration of the permit to install for the facility in accordance with rule 3745-520-320 of the Administrative Code.
- (D) No person shall modify a C&DD facility without first obtaining a modified permit to install for the facility from the permitting authority in accordance with rule 3745-520-330 of the Administrative Code.
- (E) No person shall operate or maintain a C&DD facility without a license issued by the licensing authority. The applicant for a license or the owner or operator shall comply with Chapter 3745-501 of the Administrative Code.
- (F) No person shall deviate from the requirements in a license without first obtaining a modified license for the C&DD facility from the licensing authority in accordance with rule 3745-520-410 and Chapter 3745-501 of the Administrative Code.
- (G) An owner or operator shall maintain compliance with all permits to install, licenses, orders, modifications, and alterations concurred with in writing by Ohio EPA or the approved board of health, and all other authorizing documents issued in accordance with Chapter 3714. of the Revised Code and rules adopted thereunder.
- (H) Each application, request, report, notification, compliance disclosure submittal, and document and each revision of the aforementioned items submitted in accordance with this chapter to the director, Ohio EPA, or the approved board of health shall be signed in accordance with rule 3745-500-50 of the Administrative Code.
- (I) An owner or operator shall implement and comply with plans as required by this chapter.
- (J) An owner or operator shall ensure that the C&DD facility does not create a nuisance, fire hazard, or health hazard, or cause or contribute to air or water pollution.

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- (K) An owner or operator shall not cause or allow a C&DD facility to create a nuisance or health hazard from noise, dust, odors, or the attraction or breeding of birds, insects, rodents, or other vectors.
- (L) An owner or operator shall obtain, maintain, and comply with applicable permits and authorizations required by Chapters 3704, and 6111. of the Revised Code.
- (M) An owner or operator shall investigate evidence of damage, evidence of clogging, or evidence of failure to ensure that the integrity and effectiveness of the engineered components at the C&DD facility are maintained.
- (N) An owner or operator shall maintain the integrity and effectiveness of the engineered components of the C&DD facility. If damage to or failure of an engineered component occurs after the concurring authority has concurred with the construction certification report for that engineered component, an owner or operator shall comply with rules 3745-512-60 and 3745-520-500 to 3745-520-599 of the Administrative Code.
- (O) An owner or operator shall comply with the operator certification requirements of rules adopted under division (O) of section 3714.02 of the Revised Code.
- (P) Pursuant to section 3714.101 of the Revised Code, falsification of any material information that is required to be submitted to a board of health or the director with respect to a permit to install or a license issued under Chapter 3714. of the Revised Code and rules adopted under it or an application for such a permit or license, or falsification of any other material information that is required to be submitted to a board of health or the director under Chapter 3714. of the Revised Code and rules adopted under it, is grounds for denial, suspension, or revocation of a permit to install or a license issued under Chapter 3714. of the Revised Code and rules adopted under it.