



## Early Stakeholder Outreach — Establishing an Operator Training & Certification Requirement for Construction & Demolition Debris Disposal Facility Operators

*Ohio EPA prepares early stakeholder outreach fact sheets to ensure stakeholders are brought into the review process as early as possible and to obtain additional input and discussion before development of interested party draft rules.*

### Establishment of a construction and demolition debris facility operator training & certification program

A key element of Ohio Revised Code (ORC) [3714.062](#) makes the Director of Ohio EPA responsible for establishing a certification program for operators of construction and demolition debris (C&DD) disposal facilities.

The first step in the rule-making process is for Ohio EPA to identify if a rule needs to be amended, rescinded, or created. In response to EO 2011-01K, Ohio EPA has added an additional step to ensure stakeholders are brought into the rule process as early as possible. This interested party notification and request for information will allow for early feedback before the rule language has been developed by the Agency.

### What is being considered?

The Agency is seeking stakeholder input on establishing training & certification program rules specific to C&DD disposal facility operators. A few areas for stakeholder consideration include, but are not limited to:

- Standards and process for C&DD education programs to be accredited.
- Standards and process for statewide associations representing C&DD disposal facilities to be approved to provide the training courses.
- Course requirements specific to the operations of a C&DD disposal facility.
- Educational requirements for the initial certification and the continuing education training.
- Continuing education training reporting requirements for operators of C&DD disposal facilities.
- Notification to operators of C&DD disposal facilities of their certification and continuing education status.
- Procedures to ensure that operators of C&DD disposal facilities obtain and maintain certification.
- Topics or categories for the best management practices pertaining to the operation of C&DD disposal facilities.

### How can I provide input?

The Agency is seeking stakeholder input on the operator certification rules. When preparing your comments, be sure to:

- explain your views as clearly as possible;
- describe any assumptions used;
- provide any technical information and/or data used to support your views;
- explain how you arrived at your estimate for potential burdens, benefits or costs;
- provide specific examples to illustrate your views; and
- offer alternatives.

Written comments will be accepted through close of business March 7, 2016. Please submit input to:

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### What if I have questions?

Please contact Teri Finfrock at 614-728-5326 or [Teri.Finfrock@epa.ohio.gov](mailto:Teri.Finfrock@epa.ohio.gov).

# Early Stakeholder Outreach — Operator Certification Rules

## Who will be regulated by these rules?

The requirements would apply to operators of C&DD disposal facilities regulated under the C&DD program OAC [Chapter 3745-400](#). The term operator applicable to OAC Chapter 3745-400 and C&DD disposal facilities is found in [OAC 3745-400-01\(I\)](#).

## What input is the Agency seeking?

The following questions may help guide you as you develop your comments.

- Is the general regulatory framework proposed the most appropriate? Should the Agency consider any alternative framework?
- What options are available for improving an identified concept?
- Are there considerations the Agency should take into account when developing a specific concept?
- Is there any information or data the Agency should be aware of when developing program concepts or rule language?

Ohio EPA would especially like to hear information regarding the following from stakeholders who may be impacted by the new program.

- Would this regulatory program have a positive impact on your business? Please explain how.
- If you feel that this rule has an adverse impact to business, as defined in section 107.52 of the Ohio Revised Code, please provide a summary of the estimated cost of compliance with the rules. Specifically, please identify the scope of the impacted business community; identify the nature of the adverse impact (for example, license fees, fines, employer time for compliance); and quantify, to the best of your ability, the expected adverse impact from the regulation. The adverse impact can be quantified in terms of dollars, hours to comply, or other factors.

## What is the rulemaking schedule?

After the March 7, 2016 comment deadline and consideration of stakeholder input, Ohio EPA anticipates preparing draft rules for the C&DD disposal facilities operator training & certification program. The Agency's next step would then to release a draft version of the rules for interested party review and comment.

A complete summary of [Ohio EPA's rule-making process](#) is available at <http://epa.ohio.gov/Rules.aspx>. Future steps will also include formally filing to propose the rules with the Joint Committee on Agency Rule Review (JCARR). At that time, JCARR will include the proposed rule on their meeting agenda and take public testimony. Visit JCARR's website for meeting dates and agenda items at <https://www.jcarr.state.oh.us/>.

## How can I track the program and rule-development progress?

Stakeholders are encouraged to sign up for the Agency's electronic mailing list which provides automatic updates about various topics. Registered users will receive progress updates and be notified when new information is posted on the program website ([epa.ohio.gov/dmwm/dmwmnonhazrules.aspx](http://epa.ohio.gov/dmwm/dmwmnonhazrules.aspx)). To sign up, go to [ohioepa.custhelp.com/ci/documents/detail/2/subscriptionpage](http://ohioepa.custhelp.com/ci/documents/detail/2/subscriptionpage).

## Contact

For more information, contact Michelle Mountjoy at [michelle.mountjoy@epa.ohio.gov](mailto:michelle.mountjoy@epa.ohio.gov) or (614) 728-5372.