



C&DD Recycling Facility Certification Program

A new, voluntary C&DD recycling facility certification program is now available in Ohio. The purpose of this new program is to encourage more recycling of C&DD material. Also, it will provide a clear path for recovered screen material (RSM) and smaller particles separated by certified C&DD recycling facilities to be disposed in Ohio landfills as C&DD, as that term is defined in Ohio law. Although disposal is not the preferred option for C&DD materials, this document also outlines how materials may be disposed of if necessary. Please review the Ohio EPA C&DD Recycling website for additional information about C&DD recycling activities including beneficial use opportunities that are available by participating in this Certification Program, which may take time to achieve.

This Fact Sheet clarifies Ohio EPA's position regarding disposal of recovered screen material (RSM) separated by C&DD recycling facilities participating in this certification program. It also provides a general description of how the new program is intended to operate when used to dispose of separated materials, and the next steps and opportunities for engagement as we move forward.

Recycling Certification Institute and Program Background

As explained on its website, the Recycling Certification Institute ("RCI") oversees a national certification program to ensure integrity, transparency, accuracy and reliability in the recovery/recycling reports of participating C&DD recycling facilities. The RCI uses independent third-party evaluators to verify the accuracy and reliability of the recovery/recycling rates reported. Providing a rigorous set of protocols, guidelines, and tools to professionally review and certify the recovery/recycling reports of participating C&DD recyclers, the Institute is intended to increase certainty and build confidence in the C&DD recycling marketplace on the part of project owners, architects, the environmental community, municipalities and the public. For additional information on RCI, see <https://www.recyclingcertification.org/>.

RCI has agreed to expand its existing third-party recycling certification program to include additional parameters for C&DD recycling facilities wanting to dispose of materials generated from the recycling process in Ohio landfills. Over the past several months, Ohio EPA has worked closely with representatives of RCI and the Construction and Demolition Association of Ohio (CDAO) to adapt the existing RCI certification program to Ohio. Together, we have developed an "Ohio addendum" to RCI's existing certification program.

Under this expanded certification program, landfill operators will be able to accept RSM and other small particles from a certified C&DD recycler with the assurance that these materials meet the definition of C&DD in Ohio. Participation and use of the RCI certification program and Ohio addendum is entirely voluntary and is limited to C&DD recyclers that can demonstrate a recycling rate of 40%. More details are provided below.

Regulatory status of RSM and smaller particles generated from RCI Certified C&DD Recycling Facilities RSM and smaller particles generated from RCI certified C&DD recycling facilities having the Ohio addendum and the necessary recycling facility operator certifications is C&DD and not "pulverized debris" as defined in ORC section 3714.01(I) or "solid waste" as defined in ORC section 3734.01(E). RSM and smaller particles from these facilities may be reliably disposed as C&DD at any Ohio landfill facility authorized to take C&DD. When accepting these materials, the landfill operator must request a certification from the transfer facility/recycling facility under ORC 3714.082 that material transferred is not off-specification material, hazardous waste, infectious wastes or low-level radioactive waste. The certifications required by this program will satisfy that requirement. Ohio EPA will rely on these certifications and will not cite disposal of RSM from certified C&DD recyclers as a violation of ORC section 3714.081 or ORC section 3734.03 solely on the basis that the material is unrecognizable as C&DD (See "Certification Process" section below).

The Certification Process

A RCI certification, which may take some time to achieve, will be valid for five years and subject to an annual recertification. The RCI certification and annual recertification will be conducted by RCI-trained, independent auditors. These auditors will receive specific training on the Ohio C&DD addendum. All evaluators approved by RCI to perform the Ohio addendum will have extensive knowledge of the Ohio C&DD laws, policies and guidance. Among other factors, the auditors will be certifying that the C&DD recycling facility processes only C&DD as that term is defined in Ohio Revised Code §3714.01. At the completion of a successful audit and at the end of the annual recertification, the auditor will issue a certification that the facility meets the specified standards (See Attachment A for a copy of the certification issued by the auditor).

The facility operator will also complete a certification at the end of the audit which certifies that the facility meets the specified standards including a recycling rate of 40% (without ADC). The RCI Certification requires twelve months of data before a facility's recycling rate can be certified. Until the twelve month period has lapsed, a recycling facility will be required to demonstrate and attest to having an average recycling rate (without ADC) of 40% or more using the RCI protocols. (See Attachment B for a copy of the certification to be signed by the facility operator). Thereafter, the facility will complete a monthly certification by the 1st day of the month that it continues to operate under the same policies and procedures that were certified by the auditor.

The facility operator must send the initial and monthly certification to the following within 5 business days of completing the certification:

- (1) each Ohio landfill that accepts waste from the recycler;
- (2) the associated landfill licensing authority; and
- (3) Ohio EPA, Division of Materials and Waste Management (DMWM) Supervisor, SWC&IS Unit, 50 West Town Street, Suite 700, P.O. Box 1049, Columbus, OH 43216-1049.

A list of RCI certified facilities and their detailed reports will be available on the RCI website at <https://www.recyclingcertification.org/certified-facilities>.

Disposal Fees

When disposed in Ohio landfills, the RSM and smaller particles generated by these RCI certified recycling facilities having the Ohio addendum and the necessary recycling facility operator certifications are C&DD and subject to C&DD disposal fees.

Next Steps and Contact Name

The success of this program depends on all the stakeholders working together and understanding the substance and process of the program. Training and meetings for stakeholders will ensure success of this program. If you have any questions concerning this new program, please feel free to contact Terrie TerMeer, Chief, DMWM at (614) 644-2621 or terrie.termeer@epa.ohio.gov for further information. You are encouraged to visit the RCI website to learn more about the RCI certification program.



Attachment A
Ohio Construction and Demolition Debris Recycling Program
Addendum

Facility Name						
Facility Address						
City		State		Zip		
Property Owner Name						
Property Owner Address						
City		State		Zip		
Facility Operator Name						
Facility Operator Address						
City		State		Zip		
Facility Operator 24-hour Emergency Contact		()	-			
Operational Start Date	/	/				
1. The facility operator is a Registered Business with the Ohio Secretary of State or its equivalent in another state if the facility is located outside of Ohio.				<input type="checkbox"/>	True <input type="checkbox"/>	False
2. The facility has provided evidence of general liability insurance in the facility's name.				<input type="checkbox"/>	True <input type="checkbox"/>	False
3. The facility has provided notice of its operations by obtaining a permit/license or sending letters to the Local Fire Department, any applicable health department, and the applicable environmental regulatory agencies.				<input type="checkbox"/>	True <input type="checkbox"/>	False
4. If needed, the facility has an air emissions permit.				<input type="checkbox"/>	True <input type="checkbox"/>	False
5. If needed, the facility has a storm water discharge permit.				<input type="checkbox"/>	True <input type="checkbox"/>	False
6. The facility provided a material process description plan and narrative, describing maximum materials storage and access.				<input type="checkbox"/>	True <input type="checkbox"/>	False
7. The facility provided a material acceptance plan which includes a process to reject materials.				<input type="checkbox"/>	True <input type="checkbox"/>	False
8. The facility only accepts materials identifiable as C&DD as defined in ORC §3714.01.				<input type="checkbox"/>	True <input type="checkbox"/>	False
9. The facility is not authorized to accept materials that do not meet the C&DD definition in ORC §3714.01.				<input type="checkbox"/>	True <input type="checkbox"/>	False
10. The facility removes any materials not meeting the definition of C&DD in ORC §3714.01 (including de minimus amounts) during the first step of the recycling process and throughout the process if non C&DD materials are identified.				<input type="checkbox"/>	True <input type="checkbox"/>	False
11. The facility ensures that any materials removed as referenced in No. 10, above are disposed of or recycled in accordance with applicable local, state and federal laws.				<input type="checkbox"/>	True <input type="checkbox"/>	False
12. The facility prohibits the acceptance of pulverized debris as defined in ORC §3714.01(e.g., material that has been shredded, crushed, ground, or otherwise rendered to such an extent that the material is not identifiable as construction and demolition debris).				<input type="checkbox"/>	True <input type="checkbox"/>	False

Ohio Construction and Demolition Debris (C&DD) Recycling Program Addendum

13. Material is not shredded or ground due to recycling/separation activities at the facility.	<input type="checkbox"/> True <input type="checkbox"/> False
14. The facility does not crush the material except for a limited amount of incidental crushing caused by the equipment during the material handling process.	<input type="checkbox"/> True <input type="checkbox"/> False
15. The facility has procedures and training in place to limit any incidental crushing of material caused by the equipment during the material handling process.	<input type="checkbox"/> True <input type="checkbox"/> False
16. The facility operator's name and contact information is posted at the entrance to the facility and it is current.	<input type="checkbox"/> True <input type="checkbox"/> False
17. The facility has marked and readable signs describing both acceptable and prohibited materials at the entrance and tipping areas of the facility.	<input type="checkbox"/> True <input type="checkbox"/> False
18. The facility provides safety training for its employees.	<input type="checkbox"/> True <input type="checkbox"/> False
19. The facility restricts access to the site.	<input type="checkbox"/> True <input type="checkbox"/> False
20. The facility provides training for its employees on procedures to address items in this addendum, as relevant to the positions in which they are employed, and the auditor can independently confirm employee knowledge and use of these procedures.	<input type="checkbox"/> True <input type="checkbox"/> False



Attachment B

Certification under Ohio Revised Code 3714.082 by the facility operator that transferred material is not ineligible for disposal as construction & demolition debris (C&DD) in Ohio

Facility Name					
Facility Address					
City		State		Zip	
Property Owner Name					
Property Owner Address					
City		State		Zip	
Facility Operator Name					
Facility Operator Address					
City		State		Zip	
Facility Operator 24-hour Emergency Contact		()	-		
Operational Start Date	/ /				
1. The facility operator is a Registered Business with the Ohio Secretary of State or its equivalent in another state if the facility is located outside of Ohio.				<input type="checkbox"/> True <input type="checkbox"/> False	
2. The facility has provided evidence of general liability insurance in the facility's name.				<input type="checkbox"/> True <input type="checkbox"/> False	
3. The facility has provided notice of its operations by obtaining a permit/license or sending letters to the Local Fire Department, any applicable health department, and the applicable environmental regulatory agencies.				<input type="checkbox"/> True <input type="checkbox"/> False	
4. If needed, the facility has an air emissions permit.				<input type="checkbox"/> True <input type="checkbox"/> False	
5. If needed, the facility has a storm water discharge permit.				<input type="checkbox"/> True <input type="checkbox"/> False	
6. The facility has a material process description plan and narrative, describing maximum materials storage and access.				<input type="checkbox"/> True <input type="checkbox"/> False	
7. The facility has a material acceptance plan which includes a process to reject materials.				<input type="checkbox"/> True <input type="checkbox"/> False	
8. The facility only accepts materials identifiable as C&DD as defined in ORC §3714.01.				<input type="checkbox"/> True <input type="checkbox"/> False	
9. The facility is not authorized to accept materials that do not meet the C&DD definition in ORC §3714.01.				<input type="checkbox"/> True <input type="checkbox"/> False	
10. The facility removes any materials not meeting the definition of C&DD in ORC §3714.01 (including de minimus amounts) during the first step of the recycling process and throughout the process if non C&DD materials are identified.				<input type="checkbox"/> True <input type="checkbox"/> False	
11. The facility ensures that any materials removed as referenced in No. 10, above are disposed of or recycled in accordance with applicable local, state and federal laws.				<input type="checkbox"/> True <input type="checkbox"/> False	
12. The facility prohibits the acceptance of pulverized debris as defined in ORC §3714.01(e.g., material that has been shredded, crushed, ground, or otherwise rendered to such an extent that the material is not identifiable as construction and demolition debris).				<input type="checkbox"/> True <input type="checkbox"/> False	

Certification under Ohio Revised Code 3714.082 by the facility operator that transferred material is not ineligible for disposal as construction & demolition debris (C&DD) in Ohio

13. Material is not shredded or ground due to recycling/separation activities at the facility.	<input type="checkbox"/> True <input type="checkbox"/> False
14. The facility does not crush the material except for a limited amount of incidental crushing caused by the equipment during the material handling process.	<input type="checkbox"/> True <input type="checkbox"/> False
15. The facility has procedures and training in place to limit any incidental crushing of material caused by the equipment during the material handling process.	<input type="checkbox"/> True <input type="checkbox"/> False
16. The facility operator's name and contact information is posted at the entrance to the facility and it is current.	<input type="checkbox"/> True <input type="checkbox"/> False
17. The facility has marked and readable signs describing both acceptable and prohibited materials at the entrance and tipping areas of the facility.	<input type="checkbox"/> True <input type="checkbox"/> False
18. The facility provides safety training for its employees.	<input type="checkbox"/> True <input type="checkbox"/> False
19. The facility restricts access to the site.	<input type="checkbox"/> True <input type="checkbox"/> False
20. The facility provides training for its employees on procedures to address items in this addendum, as relevant to the positions in which they are employed, and the auditor can independently confirm employee knowledge and use of these procedures.	<input type="checkbox"/> True <input type="checkbox"/> False
21. The facility has received Certification from the Recycling Certification Institute which includes a verification of items 1-20 all to be true statements concerning the facility.	<input type="checkbox"/> True <input type="checkbox"/> False

Certification Statement

I, an individual with knowledge to affirm the above statements, certify the information contained in this document to be true and accurate with regards to the facility referenced above. I further certify that all material transferred from the facility for disposal is Construction and Demolition Debris as defined in Ohio Revised Code 3714.01 and is not material regulated by the Ohio EPA as off-specification material; hazardous waste, solid wastes, or infectious wastes; or low-level radioactive waste whose treatment, recycling, storage, or disposal is governed under division (B) of section 3748.10 of the Revised Code. I also certify that no major change in operations has been made to the facility since the date of the most recent RCI certification for the facility, referenced in No. 21, above. A change is considered to be major if the facility is required to apply for a revised certification in accordance with the RCI Certification CORR protocol.

This certification is made to the C&DD facility where the material is accepted for disposal, Ohio EPA and the licensing authority for the C&DD facility. I understand that I am required to update this certification every 30 days. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.

Name			
Title		Date	/ /