

3745-76-02      **Designated facilities.**

[Comment: For dates of non-regulatory government publications, publications of recognized organizations and associations, federal rules, and federal statutory provisions referenced in this rule, see the last paragraph of rule 3745-76-01 of the Administrative Code titled "Incorporation by reference."]

- (A) The designated facility to which this rule applies is each existing MSW landfill for which construction, reconstruction or a modification resulting in increased disposal capacity was commenced before May 30, 1991.

[Comment: Any MSW landfill which, through construction, reconstruction, or modification, increases the disposal capacity of the landfill after May 30, 1991 is not subject to these rules, which regulate landfills subject to United States environmental protection agency's emission guidelines for landfills installed or expanded before this date under 40 CFR Part 60, Subpart Cc, but instead would be subject to the standards of performance for MSW landfills found in 40 CFR Part 60, Subpart WWW.]

- (B) Physical or operational changes made to an existing MSW landfill solely to comply with this rule are not considered a modification under Chapter 3745-31 of the Administrative Code.

R.C. 119.032 review dates: 06/16/2011 and 06/16/2016

CERTIFIED ELECTRONICALLY

Certification

06/16/2011

Date

Promulgated Under: 119.03  
Statutory Authority: 3704.03(E)  
Rule Amplifies: 3704.03(A), 3704.03(E)  
Prior Effective Dates: 1/31/98, 10/10/06