

***** DRAFT – NOT FOR FILING *****

3745-520-630 Unauthorized material.

[Comment: Only the material authorized by paragraph (A) of rule 3745-520-600 of the Administrative Code may be disposed at a C&DD facility.]

(A) An owner or operator shall not accept pulverized debris at a C&DD facility.

(B) Upon detection of unauthorized material after acceptance, an owner or operator shall ensure that the unauthorized material is managed in accordance with the following:

(1) Unauthorized material shall be handled, stored, transported, and disposed in accordance with applicable local, state, and federal requirements.

(2) Unauthorized material shall be managed in accordance with the material acceptance and handling plan.

(3) The information required in the log of operations regarding the unauthorized material shall be recorded in the log of operations.

(4) Pulverized debris.

(a) Upon detection of pulverized debris at the unloading zone of the C&DD facility or if the approved board of health or Ohio EPA requests removal of pulverized debris from the facility in accordance with section 3714.081 of the Revised Code, an owner or operator shall do either of the following:

(i) Immediately remove the pulverized debris from the facility.

(ii) In accordance with the material acceptance and handling plan, store the pulverized debris at the facility for not longer than ten days in an area where C&DD is not disposed.

(b) An owner or operator shall reject the pulverized debris in accordance with rule 3745-520-632 of the Administrative Code.

(5) Solid waste.

This paragraph does not apply to asbestos or asbestos-containing materials or products disposed in accordance with paragraph (A) of rule 3745-520-600 of the Administrative Code. An owner or operator shall comply with the following regarding solid waste:

(a) The owner or operator shall not dispose any solid waste at the C&DD facility.

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- (b) If solid waste is discovered on a working face or removal is requested by the approved board of health or Ohio EPA, the owner or operator shall immediately remove the solid waste from the working face.
- (c) The owner or operator shall not place any cover, C&DD, or other material on solid waste that is on a working face.
- (d) The existence of solid waste on a working face of a C&DD facility does not constitute a violation of Chapter 3714. of the Revised Code or rules adopted thereunder if the following apply:

 - (i) The owner or operator or the employees of the facility remove the solid waste from the working face immediately.
 - (ii) The waste constitutes not more than two cubic yards per one thousand cubic yards of C&DD or four cubic yards per one thousand tons of C&DD disposed at the facility based on the amount of C&DD disposed at the facility on the preceding full business day as determined by using the amount of disposal fees collected under section 3714.07 of the Revised Code for wastes disposed at the facility on that preceding full business day.
 - (iii) The facility is not located within the boundary of a sole source aquifer as described in division (B) of section 3714.03 of the Revised Code.