

## Division of Solid and Infectious Waste Management

**Summary of the Siting Requirements of OAC Chapter 3745-520  
“Regulation of New Construction and Demolition Debris Facilities”****Does Chapter 3745-520 “Regulation of New Construction and Demolition Debris Facilities” apply to me?**

- OAC Chapter 3745-520 DOES NOT APPLY to an existing C&DD facility that will be filled up and closed without expanding the existing facility boundary or existing disposal limits.
- OAC Chapter 3745-520 DOES APPLY to an owner or operator of a “new C&DD facility”; the statutory term “new C&DD facility” includes a proposed C&DD facility that has never existed before and an existing C&DD facility where the owner or operator wants to expand the facility. Such expansion of an existing facility includes any expansion of the facility boundary or disposal limits beyond the approved limits of construction and demolition debris placement.

**Where are the siting requirements for new C&DD facilities found?**

The siting requirements for new C&DD facilities are found in OAC rule 3745-520-100.

**How do the new siting criteria impact my C&DD plans?**

If a facility is going to be operated in the currently licensed disposal area without a vertical or lateral expansion beyond currently-approved disposal limits, then no permit is needed, the new siting criteria do not apply, and the owner and operator continue to follow the old C&DD rules (OAC Chapter 3745-400).

If a facility is going to be expanded vertically or laterally but still within the facility boundary that was identified in a license issued on or before December 22, 2005, a new permit is needed, but the new siting criteria do not apply, and the owner and operator must comply with the new C&DD rules (OAC Chapter 3745-520).

If a facility is going to be expanded to an area outside the facility boundary identified in a license issued on or before December 22, 2005, then a permit is needed, the new siting criteria (found in OAC rule 3745-520-100) apply to the ENTIRE facility, and the facility must comply with the new C&DD rules (OAC Chapter 3745-520).

**What are the siting requirements for new C&DD facilities?**

There are three basic categories of siting requirements; flood plain/aquifer boundary criteria, general setbacks, and isolation distance.

Flood Plain/Aquifer Boundary Criteria – Prohibits any part of a new C&DD facility within the boundaries of a one hundred year flood plain or a sole source aquifer.

General Setbacks – Prohibits disposal within one hundred feet of a perennial stream, a category 3 wetland, or the C&DD facility’s property line and within five hundred feet of parks, natural areas, nature preserves, wildlife areas, state forests, a lake that is connected to ground water, a public water supply well, historic land, or an occupied dwelling.

Isolation Distance – Requires that disposal limits are separated from the uppermost aquifer system by at least five feet of material meeting specific permeability requirements.

Additionally, the main haul road is prohibited from being within five hundred feet of an occupied dwelling without written permission from the owner of the occupied dwelling.