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Environmental
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and Pollution Prevention

Guide to Environmental Permitting in Ohio



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Introduction

If you are starting or expanding a business in Ohio, it is very important for you to determine whether you need environmental permits for your operations. Failure to understand and comply with Ohio EPA's permitting requirements can result in serious delays that can cost you time, money and lead to violations.

Many companies think the process of getting an environmental permit, such as an air or water permit, is quick and easy, like getting a routine construction permit. This is not usually the case. Most environmental permits are specifically written for each facility or source and, at best, the permitting process will take a few months. If the permit is technically complex and/or for a major project or source, more time will be needed. Because of this, one of the most important things you can do is evaluate your environmental permitting needs when you are first beginning to get serious about your project.

With proper planning, applying for and obtaining environmental permits does not have to be a difficult process. Ohio EPA will work with you from start to finish to make sure your environmental permitting experience goes as smoothly as possible.

EPA Jargon and Acronyms

This guide is full of terms and acronyms used in environmental regulations. See Appendix A (Glossary) and B (Acronyms) for the meaning of these terms.

This guide will get you started with information to help you determine what permits you need, why you need them and how to get them. This guide should not, however, be your only resource in determining your permitting and compliance responsibilities.

It is also very important to know that your new business or project may involve multiple permits, so you will likely need to review several sections of this guide to get a complete picture of all your relevant permitting requirements. For example, if your activities will involve air and wastewater discharges, you will need both air and water permits for these activities. If the project involves construction, a storm water management permit may also be required.

Applying for multiple permits also means that you will be working with several divisions within Ohio EPA. For more help with your permitting requirements, start by contacting your local district office or Ohio EPA's Office of Compliance Assistance and Pollution Prevention.

Keys to Successful Permitting

- ☑ Plan ahead.
- ☑ Meet with your Ohio EPA district office before you submit your applications. For air permits, you may need to work with a local air agency.
- ☑ Talk with the district/local air agency about time frames for the project.
- ☑ File a complete application.
- ☑ After submitting your application, talk with your district office or local air agency to monitor the progress of your permit application review.
- ☑ Respond promptly to information requests from the district office or local air agency.
- ☑ Try to avoid making significant changes to the application during the permit review process.
- ☑ **DO NOT** begin any construction activities until you get your permit.
- ☑ Once you get your permit, read and make sure you understand it.
- ☑ Comply with the terms and conditions of your permit.

Following these simple guidelines can help avoid delays in obtaining your permit and compliance problems once you get it.

The Permit Process

While each type of permit has its own characteristics, the application/review process is generally the same. More detailed information, including the specific steps in some of the common Ohio EPA permitting processes, is included in the individual information sheets contained in this guide.

The initial point of contact for permitting is either your local Ohio EPA district office or a local air pollution agency (for air permits). We strongly recommend that you meet with the appropriate office to discuss your project *before you submit your permit applications*. A pre-application meeting is a good opportunity to discuss the scope of the project and identify the technical information that will be needed as part of the application process. This also provides you with an opportunity to discuss the permit review process and convey any important time considerations related to your proposed construction schedule for the project.

Once you submit an application, Ohio EPA completes a preliminary review to make sure all necessary information is included with the application. This is very important because the more in-depth technical review process does not begin until the application is considered complete.

Once the district or local office has a complete application, the application and all supporting information (for example, data, calculations, design drawing, etc.) undergo a more detailed technical review. The technical review process can take several weeks or months, depending on the type and complexity of the permit. Once the review is finished and the application is considered technically adequate, a permit recommendation is prepared for the director of Ohio EPA. The permit is issued either as a draft permit, subject to public notice and comment, or as a final permit. Although not common, a permit may also be denied.

Certain types of permits are required to be issued as draft. A permit will also be issued as draft if it has a high degree of public interest. When a draft permit is issued, a legal notice is published in the newspaper where the facility is located. At this point, the public comment period begins and, based on feedback, Ohio EPA decides if there is sufficient interest to warrant a public hearing and/or public information session.

A public information session is a panel forum where Ohio EPA staff present information concerning the draft permit and respond to questions. The session includes an overview of the permit application, review process, and requirements applicable to the project (design/siting, etc.).

A public hearing is a formal session where comments are placed on the record. A stenographer records oral comments during the hearing. Written comments may also be submitted as part of the record. The testimony, or administrative record, is reviewed by Ohio EPA in deciding whether to issue or deny a permit. When a decision is made to grant or deny the permit, Ohio EPA will prepare a response to comments. The response to comments document includes Ohio EPA's response to various oral or written comments received.

Permit actions and adjudication: Final actions of the director, including issuance of permits, are appealable to the Environmental Review Appeals Commission (ERAC). In some instances Ohio EPA is required to, or chooses to, provide the person subject to an action an opportunity for a prior hearing. These instances will most often involve the denial of a permit. In these cases, the director will issue a proposed action that may be adjudicated before the Ohio EPA hearing examiner.

For more information on information sessions, public hearings and legal procedures, visit the following Ohio EPA Web sites at www.epa.ohio.gov/pic/meetings.aspx and www.epa.ohio.gov/legal/appeal.aspx.

Commonly Asked Questions

1. Under what circumstances would I need a permit?

If your project/activity will discharge pollutants to the air, land, water or sewers, you probably need a permit. Sometimes, whether you need a permit depends on the type and quantity of your emissions or discharge. If your business involves storage, disposal or treatment of hazardous wastes, you may need a permit as well. See the *Self-Evaluation: Do I Need a Permit?* section of this guide for more information to help you determine if a permit is needed.

2. I'm still not sure if I need a permit. How can I find out?

Call the Ohio EPA district office that handles your area. See **Appendix C** for a map and phone numbers. You can also call Ohio EPA's Office of Compliance Assistance and Pollution Prevention for help at 1-800-329-7518.

3. I need to apply for a permit. What should I do first?

Before actually submitting any permit applications to Ohio EPA, contact your local district office to set up a meeting. Depending on where the project is located, you may need to contact the local air agency to discuss air permitting requirements.

A lot of time and effort can be saved by discussing our mutual needs *before* you fill out any forms. This will help ensure that you file a complete application - one that contains all of the data and information needed to prepare a permit. See **Appendix C** for the more information on the local office in your area.

4. What about confidentiality and trade secrets?

Every permit application is a public record and available for review upon request. If your permit application will include legitimate trade secret information that needs to be kept confidential, there are procedures for this. This should be discussed at the initial meeting or directly with the permit writer.

5. How can I get copies of the rules and permit forms?

You can download rules and permit forms from Ohio EPA's Web site. See **Appendix E** for more information. Or, contact your local Ohio EPA district office to get the appropriate application forms.

6. How long does it take to get a permit?

This depends on many factors. Some permits can be processed in a matter of weeks. Others may take several months. For example, from the date you submit a complete application, you should plan for

about six months to get final air and/or water discharge-related permits. Since you cannot begin construction without a permit, the best approach is to plan ahead.

7. How much does a permit cost?

It varies according to the type of permit. For a current listing of fees, refer to Ohio EPA's Fee Schedule at www.epa.ohio.gov/portals/47/facts/feeschedule.pdf. You can also contact Ohio EPA's Office of Compliance Assistance and Pollution Prevention for fee information at 1-800-329-7518.

8. How long does a permit last?

It depends on the type of permit, but usually five years (see individual permit information sheets for more information). If you are still operating and the permit is set to expire, you are required to get it renewed. Your previously issued permit and the regulations outline the time frames and when a renewal application is required. Your Ohio EPA local district office can also help you determine when renewal applications are due.

9. Should I hire a consultant or an attorney to help me?

This depends on the technical skills of you and/or your staff. Some permits are fairly simple. For those that are complex, outside help can be beneficial. Ohio EPA doesn't maintain a list or make recommendations on consulting or legal firms to use.

As a general rule, you should seek help from someone who specializes in the particular permitting area that you need assistance with (e.g., air permitting, wastewater system design and installation). If you belong to a business or trade association, this may be a helpful resource to you in getting more information on consulting or legal resources.

10. Can Ohio EPA help me with the application process?

You should definitely work with Ohio EPA staff during the permit application process to ensure that your application is complete. In a pre-application meeting, we'll talk about what should be contained in the application, what other data may be needed, etc. The responsibility for actually filling out the forms, however, remains with the applicant.

If you operate a small business with less than 100 employees, you can also contact Ohio EPA's Office of Compliance Assistance and Pollution Prevention for help in filling out application forms at 1-800-329-7518.

Self Evaluation: Do I need a permit?

Below are some simple questions to help you determine if a permit is needed for your project. If you answer yes to any of these, you should contact your local Ohio EPA district office for more information. If your company is a small business with less than 100 employees, you can also contact our Office of Compliance Assistance and Pollution Prevention for help. (See [Appendix C](#)).

Activity	Permit Requirement
<p>Will your business include activities/units that discharge air pollutants? Regulated activities/sources may include:</p> <ul style="list-style-type: none"> • Something that has a stack, dust collector or vent (for example, shotblasters, grinders, storage tanks) • Process using paints, solvents, adhesives or inks (for example, paint booths, printing presses, solvent cleaning tanks) • Process that burns a fuel such as oil, natural gas or coal (for example, boilers, furnaces, process heaters) • Process that produces visible dust or smoke or produces odors (for example, incinerators, unpaved roadways, dry material handling) 	<p>You may need an air pollution permit-to-install (PTI) or permit-to-install and operate (PTIO) from Ohio EPA's Division of Air Pollution Control, unless the specific equipment or activity is exempt.</p>
<p>Will you have a discharge of wastewater to <i>waters of the state</i>? Examples of waters of the state include streams, rivers, lakes, ponds, marshes, watercourses, waterways, wells and springs.</p>	<p>You need a National Pollutant Discharge Elimination System Permit (NPDES) from Ohio EPA's Division of Surface Water.</p> <p>[Wastewater discharges entering a conveyance system (like a ditch or storm sewer) that leads to a waterway may also require an NPDES permit.]</p>
<p>Are you discharging wastewater to a local wastewater treatment plant?</p>	<p>You need permission from the local wastewater treatment plant for this discharge and likely an indirect discharge permit from them or Ohio EPA's Division of Surface Water.</p>
<p>Will you have wastewater treatment operations (for example, treatment, recycle, collection, disposal) or an on-site sewage treatment system (for example, septic system, package plant)?</p>	<p>You may need a permit-to-install (PTI) from Ohio EPA's Division of Surface Water.</p>
<p>Are you discharging any process wastewater to an underground injection well system? (This includes on-site septic systems.)</p>	<p>This needs an underground injection control permit from Ohio EPA's Division of Drinking and Ground Waters. Some discharge activities are completely prohibited.</p>
<p>Are you involved in construction activities that will disturb one or more acres of land? (This includes activities such as clearing, grading and excavation.)</p>	<p>You need an NPDES storm water permit for these activities from Ohio EPA's Division of Surface Water.</p>
<p>Could storm water associated with industrial activity at the facility enter into the sewers or drain to surface waters?</p>	<p>A storm water discharge permit is likely needed from Ohio EPA's Division of Surface Water.</p>
<p>Are you planning to move a stream or excavate in an area containing wetlands?</p>	<p>You need a Section 401 certification from Ohio EPA's Division of Surface Water and a Section 404 permit from the U.S. Army Corps of Engineers.</p>
<p>Do you plan to own or operate a landfill, transfer station or incinerator for solid, non-hazardous wastes?</p>	<p>You will need a solid waste permit from Ohio EPA's Division of Solid and Infectious Waste Management.</p>
<p>Will you be treating infectious waste?</p>	<p>You will likely need a permit-to-install (PTI) from Ohio EPA's Division of Solid and Infectious Waste Management.</p>

Self Evaluation: Do I need a permit?

Activity	Permit Requirement
Do you want to handle scrap tires (store, transport, dispose of, recover, beneficially reuse)?	You likely need a scrap tire permit, license, registration and/or plan approval from Ohio EPA's Division of Solid and Infectious Waste Management.
Will you treat, store or dispose of any hazardous wastes?	You need a hazardous waste permit from Ohio EPA's Division of Hazardous Waste Management.
Will you have an underground storage tank?	You need to register your tank and get an underground storage tank permit from the State Fire Marshal's Office, Department of Commerce.
Will you be demolishing any buildings or removing asbestos?	You are required to notify Ohio EPA's Division of Air Pollution Control or your local air agency.
Will you be constructing an on-site well to provide drinking water to employees or customers?	A plan review and permit are likely required from Ohio EPA's Division of Drinking and Ground Waters.
Will you be operating a composting facility?	You will need a registration, license and/or permit (based on the classification of the facility) from Ohio EPA's Division of Solid and Infectious Waste Management.
Will you be operating a construction and demolition debris facility?	You are required to obtain a license to operate from the appropriate licensing authority for your area (either the local health department or Ohio EPA).

Permit-to-Install and Permit-to-Install and Operate

Who must apply?

Air pollution permits are required for air contaminant sources.

An air contaminant source is anything that emits an air pollutant. This covers many different types of activities, and four rules of thumb can often help in identifying an air contaminant source:

1. something that has a stack, dust collector or vent (for instance, shotblasters, grinders, storage tanks);
2. a process that uses paints, solvents, adhesives or inks (for instance, paint booths, solvent cleaning tanks, printing presses);
3. a process that burns a fuel such as oil, natural gas or coal (for instance, boilers, furnaces, process heaters); or
4. a process that produces visible dust, odors or smoke (dry material handling, unpaved roadways and incinerators).

What air permits are required?

A business may have any number of sources at its facility. Each source must have a permit unless it is specifically exempt. The type of air permit you need depends on the total amount of emissions from your facility. Large emitters (100 tons or more of emissions per year) need a permit-to-install (PTI) before the installation of an air contaminant source and a Title V operating permit for continual operation. Small emitters (less than 100 tons per year) need only a permit-to-install-and-operate (PTIO), which covers both the installation and continued operation of an air contaminant source. A PTI or PTIO is also required before expanding or modifying an existing source.

The terms and conditions of the permits will include emission limits. In addition, they will outline specific monitoring, operating conditions and record-keeping requirements for the source.

Note: If you are already operating your business and discover that you need an air permit, you must still complete and submit a PTI or PTIO application.

What are the applicable rules or laws?

- Clean Air Act
- 40 CFR Parts 60, 61 and 63
- ORC Chapters 3704 and 3745
- OAC Chapters 3745-15, 3745-31, 3745-77

Does every air contaminant source need a permit?

No. There are exemptions from air permitting requirements.

1. "De minimis" air pollution sources (See OAC 3745-15-05) — De minimis sources are those that emit less than 10 pounds per day of any air contaminant and less than one ton per year (2,000 pounds) of any hazardous air pollutant or combination of hazardous air pollutants. Typically, an emission calculation is required to document whether the *potential emissions* (as if the source operated at its maximum capacity for 24 hrs/day) or *actual emissions* (at normal operating conditions) are below 10 pounds per day. If you claim a de minimis exemption based on actual emissions, you must keep records to document actual daily emissions from the source.
2. Permanent exemptions (See OAC 3745-31-03(A)(1)) — This regulation lists more than 45 types of sources that are exempt from permitting. Examples include small boilers, detergent-based parts washers, small storage tanks and other sources having minimal air emissions or meeting certain size criteria. If you are claiming a de minimis or a permanent exemption, no notification to Ohio EPA is required.
3. Permit-by-rule exemption (See OAC 3745-31-03(A)(4)) — A permit-by-rule (PBR) exemption is an option for 11 categories of low-emitting sources such as gas stations, auto body shops, emergency power generators, and printers. Under the PBR, a business is not required to get a PTIO for the source, but must follow all the requirements in the PBR rules, including meeting emission limits, operational restrictions, and record-keeping and reporting requirements. The PBR requires a simple, one-page notification to Ohio EPA. The company must ensure the air pollution source continually meets all of the PBR requirements. If the air pollution source ceases to comply with the conditions of the PBR, a PTIO is required.

How long is the permit valid?

A PTI or PTIO allows 18 months to begin construction of the source. If construction isn't started by this

time, the permit expires. PTIOs are valid for five to 10 years and are renewable.

How do I submit a permit application?

You can submit a hard copy permit application to your Ohio EPA district office or local air agency or apply online using the Air Services application through Ohio EPA's eBusiness Center. To find the office that handles air permitting for your area, refer to **Appendix C** of this guide.

Can I start building or installing equipment while my air permit application is being processed?

Yes, the regulations allow you to do some "site preparation activities" before the permit is issued. However, allowed activities vary according to the emission level of the facility. Small-emitting companies (non-Title V) can clear land, build structures, pour foundations, run utility lines, and place equipment on site before getting the final permit. But you cannot connect utility lines to the equipment and begin operation until you receive the permit. Large-emitting companies (Title V) and synthetic minors (companies voluntarily restricting their emissions) can only perform activities of a non-permanent nature. For a complete list of allowed site preparation activities, see OAC 3745-31-33.

These activities can occur provided that the owner or operator of the source has filed a complete PTI or PTIO application, the director or the director's designee has determined that the application is complete, and the owner or operator of the source has notified the director that this activity will be undertaken prior to the issuance of a PTI or PTIO. Activities undertaken by the source are at the risk of the owner or operator and are not a guarantee of final permit issuance.

It's important that you contact the permit writer at Ohio EPA to have them review pre-construction activities to help you decide what can and cannot be done before a final permit is obtained. You may need other Ohio EPA permits, such as a construction storm water permit or 401 Water Quality Certification/404 permit, before beginning site activities.

What is the permit process?

Please note that the process outlined below is for a typical PTI or PTIO. Depending on the complexity of the permit, the process could take longer and include additional steps.

Step 1. Contact your Ohio EPA district office, Division of Air Pollution Control (DAPC) or local air agency (LAA) and discuss the proposed source. Discuss permit fees, permit processing time, application forms, monitoring/testing requirements, possible regulations, permit limits and any other pertinent topics. If possible, arrange a meeting at least six to eight months before construction is scheduled to start (or earlier for large projects).

Step 2. Complete and submit the PTI/PTIO application along with any supporting documentation to the Ohio EPA district office or LAA. You should do this at least six months before construction starts.

Step 3. Upon receipt of the application, Ohio EPA district office or LAA conducts a completeness review within 14 days and notifies the company if the application is complete. It is important to note that Ohio EPA or the LAA cannot proceed with a more detailed technical review of the application until it is considered complete. Therefore, it is important that you promptly respond to any requests for missing information.

Step 4. The local office completes a technical review of the application, drafts the permit terms and conditions, and sends the package to Ohio EPA's central office.

Step 5. The central office does a final technical review of the application and, if approvable, issues a draft or a final permit. If changes are needed, the application might be sent back to the local office. In some rare cases, central office may prepare a recommendation to the director for denial of a permit.

This process could take from two weeks to two months, depending on the complexity of the permit and the number of other permits already under review. This step typically occurs three to five months after Ohio EPA receives a complete application.

For some sources, Ohio EPA is required to issue a permit as a draft action. For draft actions, Ohio EPA puts a notice in the local paper regarding the proposed installation. This notice provides for a 30-day public comment period. A public meeting may be held as part of this process. If no comments are received, then the process goes on to step six.

Air Pollution

If Ohio EPA receives significant comments, the draft permit may be modified and reissued (repeating steps 4 and 5) or denied.

Step 6. Ohio EPA issues a final permit. This permit allows the company to begin construction and operation of the source. This typically occurs six months after receiving a complete application. Issuance of a final permit or issuance of a final denial are actions of the director. Ohio EPA issues a public notice announcing issuance or denial. Final actions may be appealed to the Environmental Reviews Appeals Commission (ERAC).

Step 7. After receiving a final PTI, Title V companies need to complete a Title V permit application or amend their current Title V operating permit to include the new emission sources. Companies receiving a PTIO can install and operate the emission sources as described in the permit.

What is a general permit?

A general permit (GPTI or GPTIO) is an optional template permit for certain sources. Because they are developed in advance, general permits eliminate

much of the review steps and speed up the permit process. Applicants can preview general permit qualifying criteria and terms and conditions, and then decide whether they would like this permit. General permits are processed much faster than traditional permits, usually within 45 days. General permits sometimes give companies more operational flexibility, and require an abbreviated permit application.

How much does a permit cost?

For a current listing of fees, refer to Ohio EPA's Fee Schedule at www.epa.ohio.gov/portals/47/facts/feeschedule.pdf.

Where can I find more permit information?

Permit application forms, lists of available permit-by-rule categories, general permits and other permit information can be downloaded at www.epa.ohio.gov/dapc/permits/permits.aspx. Or, contact your local Ohio EPA district office or LAA to request permit application forms or other permit information.

Demolition and Renovation Activities

Asbestos Notification

Who must apply?

In May 1990 Ohio EPA adopted Ohio Administrative Code Chapter 3745-20 which sets into state regulations the National Emission Standard Hazardous Air Pollutants (NESHAP) Standard for Asbestos. These regulations apply to persons involved in demolition or renovation activities.

Under the regulations, individuals undertaking a facility demolition project must submit a notification of demolition activity *regardless of whether asbestos is involved*. The notification is sent to the Ohio EPA district office, Division of Air Pollution Control or local air agency with jurisdiction over the county where the operations will occur. Examples of activities that require notification include demolitions of institutional, commercial, public, industrial or residential structures. This also includes bridges, tunnels, apartments with more than four dwelling units, homes which are part of a development project

What are the applicable rules or laws?

- Clean Air Act
- 40 CFR Part 61, Subpart M
- OAC Chapter 3745-20

(not privately owned), partial demolitions, churches, power plants, parking garages and farms. Privately owned homes, residential structures with four or fewer dwelling units and mobile sources do not require notification.

If the project is a facility renovation, notification is required when the amount of regulated asbestos-containing material (RACM) which is stripped, removed, dislodged, cut, drilled, or similarly disturbed exceeds 260 linear feet on pipes, 160 square feet on other facility components or 35 cubic feet off facility components.

Demolition and Renovation Activities

How much does the notification cost?

For a current listing of fees, refer to Ohio EPA's Fee Schedule at www.epa.ohio.gov/portals/47/facts/feeschedule.pdf.

What is the notification process?

The notification form must be submitted at least 10 working days (Monday-Friday excluding weekends) before operations begin. Phone and fax notifications are not acceptable for original notification. The following information must be submitted to meet notification requirements:

- A complete facility description, including the specific portion of the facility affected by the operations. The description must include an estimate of the building size (in square feet), number of floors and age in years. This also includes a description of present and prior use (for example, industrial, commercial, institutional, etc.).
- Description of planned demolition or renovation work to be performed and method(s) to be employed, including demolition or renovation techniques to be used and description of affected facility components.
- Information on whether or not asbestos is present in any quantity.
- The procedures used to detect and analyze asbestos. Such records would include a list of materials assessed, locations sampled and the sample results.

[Note: All operations must have the records of the inspection and analyses on-site during active operations for inspection.]

- Types of asbestos (RACM, non-friable asbestos material to be removed, non-friable asbestos material not to be removed).
- The start and end date for the demolition or renovation.
- Scheduled hours of operation, dates and days of the week the operations will be active.
- Names, addresses and phone numbers of any waste transporters.
- Identification of the disposal site for the material (including physical location).

- Description of work practices and engineering controls to be used to comply with the requirements, including asbestos removal and waste handling emission control procedures.
- Procedures to be followed in the event unexpected asbestos is found or non-friable asbestos becomes RACM.
- Certification that a NESHAP-trained person will be available during normal business hours at the demolition or renovation site.

Notification must be updated when substantive information changes or the amount of asbestos changes by more than 20 percent. Updated notification may be provided by phone or fax followed in writing before the operations continue.

Note: If your project involves an emergency asbestos removal activity, different procedures may apply. An emergency demolition or emergency renovation notice must be submitted as early as possible before but not later than the following working day, and must include the required information. Contact your local Ohio EPA district office, Division of Air Pollution Control or Local Air Agency having jurisdiction over the project.

What are some of the typical requirements?

In addition to the notification requirements, a site owner or operator must complete a waste shipment record prior to consigning any asbestos waste materials. Each owner or operator must also follow procedures to prevent emissions of particulate asbestos material to the ambient air.

Where can I get the notification form and waste shipment form?

You can get both of these forms through DAPC's Web site at www.epa.ohio.gov/dapc/atu/asbestos/asbestos.aspx.

Permit-to-Install and Plan Approval

Who must apply?

A surface water permit-to-install (PTI) must be obtained from Ohio EPA for the construction of any wastewater treatment system, collection system or disposal facility. The PTI requirements also apply to the installation or modification of an on-site sewage treatment system and to the land application of sewage sludge. The PTI outlines technical and design requirements for the system as well as operating conditions that must be met. A PTI is required before installing any new wastewater system or before modifying an existing system.

The small flow on-site sewage treatment system (SFOSTS) is a category of sewage treatment system established in 2005 by Chapter 3718 of the Ohio Revised Code. Under this law, small flow on-site sewage treatment systems are permitted either by local health departments or the Ohio EPA. A SFOSTS is defined as an on-site system (other than a household system) that treats no more than 1,000 gallons per day of sewage only. To meet this definition, the system must also not require a National Pollutant Discharge Elimination System permit (see page 12) or an underground injection well permit (see page 17)¹.

Where a local health department has assumed SFOSTS authority, they are responsible for regulating and permitting these systems. Where the local health department has not assumed SFOSTS authority, Ohio EPA issues permits for these systems. For more information, including a list of local health departments that have SFOSTS authority, see the Ohio Department of Health Web site at www.odh.ohio.gov/odhPrograms/eh/sewage/sfosts1.aspx.

¹The ORC and OAC restrict SFOSTS to those that treat sewage only. Small flow manufacturing facilities, dentist offices, beauty salons, veterinary offices, funeral homes, etc. may be able to install a SFOSTS approved by the local health department only if their wastewater is segregated. These types of facilities must obtain a permit from Ohio EPA for any mixed wastewater or for the non-sewage portion of their wastewater (such as medical waste, industrial waste, or chemical-laden wastewater).

Discharging small flow systems do not meet the definition of SFOSTS and will remain under Ohio EPA authority. Any system that proposes to expand beyond 1,000 gallons per day treatment capacity will remain or return to Ohio EPA authority.

What are the applicable rules or laws?

- Clean Water Act
- ORC Chapter 6111
- OAC Chapter 3745-42
- OAC Rule 3745-1-05
- ORC 3718 and OAC 3701-29 (ODH statute/regulations)

Are there exceptions to the PTI requirements?

A PTI from Ohio EPA is not required for sewage treatment/disposal systems for a one-, two- or three-family dwelling. Contact your local health department for more information on permitting requirements for these systems. There are also three specific exemptions for some modifications, certain coal washing situations and certain interceptors for oil and grease, for more information on these see OAC 3745-42-02 (B).

How long is the permit or plan approval valid?

PTIs or plan approvals are not usually issued for a specified time period. However, the PTI will terminate in 18 months if construction has not begun. [A request for a 12-month extension can be submitted.]

How much does a permit cost?

For a current listing of fees, refer to Ohio EPA's Fee Schedule at www.epa.ohio.gov/portals/47/facts/feeschedule.pdf.

What are the general steps in the PTI process?

Please note that the process outlined below is for a typical PTI. The process could take longer and include additional steps, depending on the complexity of the permit and the applicability of antidegradation requirements.

Step 1. Ohio EPA receives the PTI application at the appropriate district office. The application must include detailed engineering plans and technical specifications for the wastewater treatment, collection or disposal facility.

Step 2. Ohio EPA publishes a notice that a PTI application has been received in Ohio EPA's Weekly Review.

Wastewater Treatment, Collection and Disposal Systems

- Step 3.** Ohio EPA conducts a detailed technical review of the application and plans. Additional technical information may be requested from the applicant.
- Step 4.** Agency staff prepares a recommended permit action. The director of Ohio EPA may issue a final permit, issue a proposed denial or request additional information.
- Step 5.** Final and proposed actions are published in Ohio EPA's Weekly Review and a legal notice is published in a newspaper of general circulation in the county where the project would be located. When a draft permit is issued, a 30-day comment period begins, providing citizens an opportunity to comment on the draft and to request a public hearing.

Issuance of a final permit or issuance of a final denial are actions of the director. Ohio EPA issues a public notice announcing issuance or denial. Final actions may be appealed to the Environmental Reviews Appeals Commission (ERAC).

Notes: An application cannot be considered complete unless all application questions are answered and all required technical information submitted. You *must* receive your permit before any construction is started.

The Division of Surface Water (DSW) has many helpful resources to assist you in completing PTI applications. Guidance documents, frequently asked questions and reference documents are available at www.epa.ohio.gov/dsw/pti/PTIDocuments.aspx.

What are typical permit requirements?

- Appropriate application forms.
- Engineering plans/design criteria (signed, stamped by professional engineer).
- Use of best available technology or best available demonstrated control technology.
- Conformance with Ohio EPA guidelines and policies, or justification for variance.
- Compliance with effluent limitations.
- Operation and maintenance information.

How long does the permit review process take?

Generally, Ohio EPA's review process for PTIs takes up to 180 days after receiving a complete application. For some smaller projects that are less technically complex, this process can go more quickly. For more complex projects, it may take additional time to complete the review. To ensure that adequate time is provided to get through the review process, it is recommended that you submit your PTI application six months before construction is scheduled to start (or earlier for large projects).

What is antidegradation and how can it affect my permit?

A permit application (PTI or NPDES) that increases the quantity of pollutants discharged to a receiving stream may require an antidegradation review. Antidegradation review applies to both new discharges and facility expansions. Through the review process, Ohio EPA evaluates the change in water quality of the receiving stream due to the new or increased discharge. Under the antidegradation process, the applicant must:

- identify substances to be discharged (concentration and mass);
- demonstrate the social, economic and environmental benefits of the project to the public;
- provide an estimate of social, economic and environmental costs if water quality is lowered;
- evaluate alternatives that would reduce the total quantity of pollutants to be discharged; and
- implement one of the alternatives if determined by the director of Ohio EPA to be reasonable and achievable.

Note: A minimum of six months is usually needed to complete the antidegradation review process. Formal public hearings may be conducted as part of the permit process.

Where do I get application forms?

Wastewater PTI application forms can be downloaded through DSW's Web site at www.epa.ohio.gov/dsw/pti/PTIForms.aspx. Or, contact your local Ohio EPA district office to receive application forms.

Wastewater Discharges

National Pollutant Discharge Elimination System (NPDES) Permit

Who must apply?

If a municipality, industry or other business wants to discharge wastewater to a *water of the state*, they must first obtain a permit from the Ohio EPA Division of Surface Water (DSW). This permit is called a National Pollutant Discharge Elimination System (NPDES) permit. Examples of waters of the state include streams, rivers, lakes, ponds, marshes, watercourses, waterways, wells and springs. Wastewater discharges entering a conveyance system (like a ditch or storm sewer) that leads to a waterway may also require an NPDES permit.

NPDES permits limit the quantity of pollutants in wastewater discharges and establish other compliance requirements, such as monitoring, record-keeping and operating conditions. The conditions of the permit help protect public health and the aquatic environment by ensuring compliance with Ohio's water quality standards and federal regulations.

Does every source need a permit?

There are some permit exclusions outlined in 40 CFR 122.3.

How long is the permit valid?

NPDES permits are issued for five years.

How much does a permit cost?

For a current listing of fees, refer to Ohio EPA's Fee Schedule at www.epa.ohio.gov/portals/47/facts/feeschedule.pdf.

What are some typical requirements in an NPDES permit?

- Effluent limitations.
- Monitoring requirements (frequencies, sample type, seasonal, parameters, etc.)
- Operating conditions.
- Compliance schedules for submissions of reports, plant upgrades, studies, etc.
- Pretreatment program implementation and whole effluent toxicity monitoring (where applicable).
- General definitions and regulatory requirements.

What are the applicable rules or laws?

- Clean Water Act
- 40 CFR 122 through 136 and 400 through 471
- ORC Chapter 6111
- OAC Rules 3745-1-06 and 33-02

How long does the review process take?

Ohio EPA's goal is to take final action on a discharge application within 180 days after receiving a complete application. Many factors play a role in achieving this time line. If the antidegradation rule is involved, this may add more time to the review process.

The Division of Surface Water has a helpful resource titled *Tips to Getting a Quicker and Better NPDES Permit*, available through their Web site at www.epa.ohio.gov/dsw/permits/permits.aspx.

What is antidegradation and how can it affect my permit?

A permit application (PTI or NPDES) that increases the quantity of pollutants discharged to a receiving stream may require an antidegradation review. Antidegradation review applies to both new discharges and facility expansions. Through the review process, Ohio EPA evaluates the change in water quality of the receiving stream due to the new or increased discharge. Under the antidegradation process, the applicant must:

- identify substances to be discharged (concentration and mass);
- demonstrate the social, economic and environmental benefits of the project to the public;
- provide an estimate of social, economic and environmental costs if water quality is lowered;
- evaluate alternatives that would reduce the total quantity of pollutants to be discharged; and
- implement one of the alternatives if determined by the director of Ohio EPA to be reasonable and achievable.

Note: A minimum of six months is usually needed to complete the antidegradation review process. Formal public hearings may be conducted as part of the permit process.

Where can I get application forms?

Application forms can be downloaded through DSW's Web site at www.epa.ohio.gov/dsw/permits/permits.aspx. Or, contact your local Ohio EPA district office to receive application forms.

Wastewater Discharges

Indirect Discharge Permit Pretreatment Program Permit

Who must apply?

Facilities discharging industrial wastewater to a publicly owned treatment work (POTW) are regulated under Ohio EPA's pretreatment program. These facilities discharge process wastewater which is often contaminated by a variety of toxic or otherwise harmful substances. Because POTWs are not specifically designed to treat industrial wastes, pretreatment programs are needed to help control contaminants in discharges and prevent problems at the POTW.

Ohio EPA's Division of Surface Water (DSW) is responsible for implementing the pretreatment program. Since, in many cases, control over what goes into sewers is best handled at the local level, Ohio EPA has also delegated pretreatment program responsibilities to some local governments. These areas have Ohio EPA-approved pretreatment programs. An industrial user that discharges to an Ohio EPA-approved pretreatment program must contact the local POTW for any discharge permitting requirements.

Some areas may not have an approved pretreatment program. In these areas, Ohio EPA directly regulates and permits industrial users. Any significant industrial user (defined at OAC Chapter 3745-36(U)) that discharges process wastewater into a POTW that does not have an Ohio EPA-approved pretreatment program must apply for an indirect discharge permit from Ohio EPA.

How do I know if my local POTW has an approved program?

You can find out if a POTW has an approved pretreatment program by either contacting Ohio EPA or visiting DSW's Web site at www.epa.ohio.gov/dsw/pretreatment/index.aspx. You can also call the POTW directly.

How long is Ohio EPA's indirect discharge permit valid?

An Ohio EPA indirect discharge permit is effective for five years.

What are the applicable rules or laws?

- Clean Water Act
- ORC Chapter 6111
- OAC Chapters 3745-3 and 3745-36

How much does Ohio EPA's indirect discharge permit cost?

For a current listing of fees, refer to Ohio EPA's Fee Schedule at www.epa.ohio.gov/portals/47/facts/feeschedule.pdf.

What are some typical requirements of Ohio EPA's indirect discharge permit?

- Effluent limitations, monitoring and/or best management practices (BMPs), Toxic Organic Management Plans (TOMPs) and pollution prevention plans.
- Procedures for submitting compliance monitoring reports (for example, sampling for noncompliance, slug loading notification, record keeping and disposal of residuals).
- Compliance schedules for treatment system installation and upgrades.
- General and specific discharge prohibitions.
- Notification requirements for discharge changes.
- Signatory requirements.

What is Ohio EPA's indirect discharge permit application process?

- Step 1.** Facility submits a complete application at least 180 days prior to discharging.
- Step 2.** Ohio EPA reviews application, informs the applicant of any deficiencies and requests additional information. This usually happens within 30 days of receiving the application.
- Step 3.** Once the application is considered complete and technically adequate, Ohio EPA drafts the permit.
- Step 4.** Ohio EPA announces, through a public notice, receipt of the application and the proposed draft permit. There is a 30-day public comment period.
- Step 5.** After the 30-day comment period, Ohio EPA responds to comments and may hold a public meeting.
- Step 6.** The final permit is prepared and issued by Ohio EPA after considering any comments. In some situations, although not common,

Wastewater Discharges

Ohio EPA may deny a discharge permit. Issuance of a final permit or issuance of a final denial are actions of the director. Ohio EPA issues a public notice announcing issuance or denial. Final actions may be appealed to the Environmental Reviews Appeals Commission (ERAC).

How long does Ohio EPA's indirect discharge permit process take?

The Agency's performance standard for issuing a final action is within 180 days after receiving a complete application.

Where do I get application forms?

Ohio EPA's indirect discharge permit application forms can be downloaded through DSW's Web site at www.epa.ohio.gov/dsw/pretreatment/index.aspx. Or, contact your local Ohio EPA district office to receive application forms. For facilities discharging to a POTW with an approved pretreatment program, contact the POTW directly for permit application forms.

Storm Water Discharges

National Pollutant Discharge Elimination System (NPDES) Permit

Who must apply?

Mandated under the Clean Water Act, the NPDES storm water program addresses sources of storm water discharges that can adversely affect water quality. The program includes a permitting mechanism and implementation of controls to prevent harmful pollutants from being carried by storm water runoff into local water bodies.

Those regulated under the program must obtain coverage under an NPDES storm water permit and implement pollution prevention plans or management programs to reduce or prevent the discharge of pollutants into receiving waters. Certain industrial activities are regulated under the storm water program. In addition, Ohio EPA also requires storm water permits for construction projects to help prevent soil erosion and control the amount of sediment and other pollutants that leave sites. For any construction activity that disturbs one or more acres, a storm water permit and pollution prevention plan are required. [This would include any construction activity that might itself be less than one acre but is part of a larger project that disturbs one or more acres in its entirety.]

There are two types of storm water permits, individual and general. A general permit is one permit that covers facilities that have similar operations and discharges. There are several storm water discharge activities that can be covered under a general permit. There are certain circumstances where a general permit is either not available or not applicable to a specific activity. In these situations, an individual NPDES storm water permit is required.

What are the applicable rules or laws?

- Clean Water Act
- 40 CFR 122.26, 40 CFR 122.30 through 122.37
- ORC Chapter 6111
- OAC Chapter 3745-39

How do I find out if my specific industrial activity needs a permit?

To determine if an activity requires permit coverage, you must first determine if your facility/activity falls into one or more of 11 specific categories of storm water discharges that need a permit. These 11 categories include facilities that have specific Standard Industrial Classification (SIC) codes and other more general industrial activities. [Although the North American Industrial Classification System (NAICS) has replaced the SIC system, the regulations still refer to SIC codes.] For more information, go to Ohio EPA's Division of Surface Water (DSW) Web site at www.epa.ohio.gov/dsw/storm/index.aspx.

The 11 categories are:

Category 1: Facilities subject to federal storm water effluent discharge standards in 40 CFR Parts 405-471;

Category 2: Heavy manufacturing (for example, paper mills, chemical plants, petroleum refineries, and steel mills and foundries);

Category 3: Coal and mineral mining and oil and gas exploration and processing;

Storm Water Discharges

Category 4: Hazardous waste treatment, storage, or disposal facilities;

Category 5: Landfills, land application sites, and open dumps with industrial wastes;

Category 6: Metal scrap yards, salvage yards, automobile junkyards, and battery reclaimers;

Category 7: Steam electric power generating plants;

Category 8: Transportation facilities that have vehicle maintenance, equipment cleaning, or airport deicing operations;

Category 9: Treatment works treating domestic sewage with a design flow of 1 million gallons a day or more;

Category 10: Construction activity that disturbs one or more acres of land; and

Category 11: Light manufacturing (For example, food processing, printing and publishing, electronic and other electrical equipment manufacturing, and public warehousing and storage).

Are there any exemptions?

Yes. Under the conditional “no exposure” exclusion, operators of industrial facilities in any of the 11 categories mentioned above (except Category 10: Construction Activities) have the opportunity to certify a condition of “no exposure” if their industrial materials and operations are not exposed to storm water.

Ohio EPA has adopted the federal “No Exposure Certification” application form and is using the federal guidance document to determine whether facilities are eligible for the no exposure exemption. Facilities may apply for this exclusion. A “No Exposure Certification” guidance, application form and instructions document is available at the U.S. EPA’s Office of Wastewater Management Web site at <http://cfpub.epa.gov/npdes/stormwater/exposure.cfm>. Applicants should complete the form according to the instructions in the guidance and mail it to Ohio EPA’s DSW, P.O. Box 1049, Columbus, OH 43216-1049.

As long as the condition of “no exposure” exists at a certified facility, the operator is excluded from NPDES industrial storm water permit requirements provided that the operator submits a written certification of no exposure to the DSW at least once every five years. Ohio EPA is the NPDES authority in Ohio.

How long is the permit valid?

Most storm water discharges are regulated by a general permit which is effective for five years.

How much does it cost?

For a current listing of fees, please refer to Ohio EPA’s Fee Schedule at www.epa.ohio.gov/portals/47/facts/feeschedule.pdf.

What is the typical process for getting a permit?

For a storm water general permit:

Step 1. Contact your local Ohio EPA district office, Division of Surface Water, to determine if a storm water permit is required.

Step 2. Submit a Notice of Intent (NOI) to Ohio EPA’s central office to apply for coverage under the appropriate general permit.

Step 3. Where applicable, develop a Storm Water Pollution Prevention Plan (SWP3).

Step 4. Ohio EPA logs in the NOI and processes the application fee.

Step 5. Ohio EPA forwards a copy of the appropriate general permit to the applicant, along with a letter indicating that the applicant is now covered by that general permit. The letter and general permit should be kept on-site.

Note: You must wait until you receive the Ohio EPA approval letter stating that you are covered under the general permit *before* you begin any activity.

Step 6. Implement the SWP3 and ensure that site personnel, including contractors, subcontractors and staff understand their responsibilities in carrying out the SWP3.

Step 7. Comply with the permit, including addressing any regular maintenance or inspection requirements that may apply.

When the general permit is renewed (at least once every five years), all parties must reapply for coverage under that permit in accordance with instructions issued by Ohio EPA. Construction activity projects may request continued coverage once contacted by Ohio EPA while other activities must submit a new NOI.

Storm Water Discharges

Note: If your activities are not eligible for coverage under the general permit, you must apply for an individual storm water management permit. Contact Ohio EPA's Division of Surface Water for more information on obtaining an individual NPDES permit.

How long does the review process take?

NOIs are processed as they are received. For construction activities, the NOI should be submitted at least 21 days prior to the start of construction (disturbance of surface). For industrial facilities, the NOI should be submitted at least 180 days prior to beginning operations.

Where can I get more information on developing a storm water pollution prevention plan for construction activity?

Visit Ohio EPA's Web site at www.epa.ohio.gov/dsw/storm/const_SWP3_check.aspx for more information on pollution prevention plans. U.S. EPA's Web site also has helpful information at http://cfpub1.epa.gov/npdes/home.cfm?program_id=6.

Where can I get application forms?

Application forms can be downloaded through Ohio EPA's Web site at www.epa.ohio.gov/dsw/storm/stormform.aspx. Or, contact your local Ohio EPA district office to receive application forms.

Class I Underground Injection Wells

Permit-to-Drill and Permit-to-Operate

Who must apply?

Class I injection wells are used to dispose of hazardous and nonhazardous waste fluids. Class I injection wells are used to inject large volumes of waste into deep rock formations, those far beneath any underground source of drinking water.

Currently, there are only 10 Class I wells in Ohio. Any person desiring to drill or operate a Class I well must receive a permit prior to construction. Permits are granted only after extensive data review, followed by issuance of draft permits which are open to public comment.

How long is the permit valid?

Permits are good for up to five years. Permits-to-drill mandate construction begin within 18 months of issuance.

How much does it cost?

For a current listing of fees, refer to Ohio EPA's Fee Schedule at www.epa.ohio.gov/portals/47/facts/feeschedule.pdf.

What is the application process?

Step 1. Contact the Underground Injection Control (UIC) unit in Ohio EPA's Division of Drinking and Ground Waters.

What are the applicable rules or laws?

- Safe Drinking Water Act
- 40 CFR 144 through 148
- ORC Chapter 6111
- OAC Chapter 3745-34

Step 2. Submit complete application.

Step 3. The UIC unit reviews the application for completeness and technical adequacy. Once the application is complete and technically adequate, a draft permit action prepared and public noticed. A public comment period of at least 30 days begins. A public information session and public hearing are held.

Step 4. Comments are reviewed and considered. The Division of Drinking and Ground Waters makes a final recommendation to the director of Ohio EPA.

Step 5. Final approval or denial of the permit is public noticed and subject to appeal for 30 days. Issuance of a final permit or issuance of a final denial are actions of the director. Ohio EPA issues a public notice announcing issuance or denial. Final actions may be appealed to the Environmental Reviews Appeals Commission (ERAC).

Application for renewal of an existing permit-to-operate must be made at least 180 days prior to permit expiration.

Notes: Any person interested in permitting a Class II injection well (oil or natural gas brine disposal) or

Class I Underground Injection Wells

Class III injection wells (used for extraction of minerals) should contact the Ohio Department of Natural Resources, Division of Oil and Gas, UIC Program at (614) 265-6633.

Wells that are used for disposal of hazardous or radioactive waste into or above an underground source of drinking water are Class IV wells. These wells are illegal. People who become aware of such a well should immediately contact Ohio EPA's Division of Drinking and Ground Waters, UIC Unit.

What are some typical requirements?

All Class I wells have very strict siting, construction, operation and maintenance requirements designed to protect underground sources of drinking water. Wells injecting hazardous wastes have more siting requirements including extensive demonstrations

(no-migration demonstrations) reviewed and approved by U.S. EPA and Ohio EPA to show that there will be no migration of hazardous constituents from the injection interval as long as the wastes remain hazardous.

- Each well must be permitted individually.
- Sampling, monitoring and record-keeping.
- Closure, post-closure and financial responsibility.
- Formation testing, well integrity testing, waste minimization plan.
- Hazardous waste disposal wells subject to more stringent operating, monitoring, testing and reporting.

Where can I get more information?

For more information on the UIC requirements, visit DDAGW's Web site at www.epa.ohio.gov/ddagw/uic.aspx.

Class V Underground Injection Wells

Permit-to-Drill and Permit-to-Operate

Who must apply?

Class V injection wells encompass a large variety of well types (usually shallow), including disposal wells and septic systems. Often, Class V wells are located in rural or un-sewered areas. In many of these areas, particularly rural areas, people depend on ground water for their drinking water. Because of the potential for possible ground water contamination, it is very important to control the construction and operation of Class V wells.

All Class V injection wells injecting industrial waste or other waste (as defined by OAC Rule 3745-34-01) must get a permit-to-drill and a permit-to-operate from Ohio EPA. All Class V wells are also required to be registered with Ohio EPA. Registration is done by submitting a completed inventory form to Ohio EPA. No Class V injection well is authorized to operate unless an inventory form has been completed and submitted to Ohio EPA.

Note: *Some Class V systems are illegal to operate.* For example, all motor vehicle waste disposal wells and all large capacity cesspools constructed after April 2, 2000 are illegal to operate under both federal and Ohio regulations

How long is the permit valid?

Varies up to five years. Permits-to-drill mandate construction begin within 18 months of issuance.

What are the applicable rules or laws?

- Safe Drinking Water Act
- 40 CFR 144 through 147
- ORC Chapter 6111
- OAC Chapter 3745-34

How much does the permit cost?

For a current listing of fees, refer to Ohio EPA's Fee Schedule at www.epa.ohio.gov/portals/47/facts/feeschedule.pdf.

What is the permit application process?

- Step 1.** Anyone wanting to operate an underground injection well should contact the Underground Injection Control (UIC) unit in Ohio EPA's Division of Drinking and Ground Waters (DDAGW).
- Step 2.** Submit complete permit application.
- Step 3.** UIC unit reviews application for completeness. A final permit action cannot be recommended until a complete application is received. A complete application includes the appropriate forms and any supplemental information required by rule and application instructions and other technical information that may be requested by the Agency.

Class V Underground Injection Wells

Step 4. Once complete, a draft permit action is prepared and public noticed. A public comment period of at least 30 days begins. A public information session and public hearing are held.

Step 5. Comments are reviewed and considered. The Division of Drinking and Ground Waters makes a final recommendation to the director of Ohio EPA.

Step 6. Issuance of a final permit or issuance of a final denial are actions of the director. Ohio EPA issues a public notice announcing issuance or denial. Final actions may be appealed to the Environmental Reviews Appeals Commission (ERAC).

In addition to obtaining a permit, all Class V wells are also required to be registered with Ohio EPA. Registration is done by submitting a completed inventory form to Ohio EPA. No Class V injection well is authorized to operate unless an inventory form has been completed and submitted to Ohio EPA.

What are some typical permit requirements?

- Standards for design, construction and operation.
- Sampling and reporting.
- Closure and financial responsibility.
- Prohibitions on the types of wastes that may be disposed of in the well.

Where can I get more information?

For more information, visit DDAGW's Web site at www.epa.ohio.gov/ddagw/uic.aspx.

Wetlands Activity

Section 401 Water Quality Certification

Section 401 of the Clean Water Act (CWA) requires state agencies to evaluate projects that will result in the discharge of dredged or fill material into waters of the U.S. to determine whether the discharge will violate water quality standards. Section 401 certification may not be granted for projects that will violate the state's water quality standards. A Section 401 certification is required for activities that require federal permits such as a U.S. Army Corps of Engineers (Corps) Section 404 permit.

Who must apply?

Any person who wishes to place dredged or fill material into wetlands or streams must apply for an individual Section 401 certification unless the project meets the applicable conditions for a nationwide permit (see below). Activities typically requiring 401 certifications include stream rerouting, placing streams in culverts, filling wetlands and filling in lakes. Projects that are typically regulated include construction activities at highways, marinas/docks, shopping malls, housing subdivisions and strip mining operations.

What are the applicable rules or laws?

- Clean Water Act
- 40 CFR Parts 230 thru 233 and 33 CFR Parts 320 thru 330
- ORC 6111.30 and 6111.31
- OAC Chapter 3745-32
- OAC 3745-1-01 through 32
- OAC 3745-1-50 through 54

How long is the 401 certification valid?

Unless a different time frame is established, the 401 certification is valid for five years when issued in conjunction with a Corps individual Section 404 permit.

How much does it cost?

For a current listing of fees, refer to Ohio EPA's Fee Schedule at www.epa.ohio.gov/portals/47/facts/feeschedule.pdf.

What is the application process?

The applicant must issue a public notice regarding submittal of each Section 401 application for a period of 30 days to solicit public comment. Ohio EPA may conduct a public hearing on request or if the director of Ohio EPA determines the project to be complex or controversial. An applicant seeking 401 certification

Wetlands Activity

must present an evaluation of alternatives and discuss the social and economic impacts that will result from the project.

State law requires that 401 water quality certifications be issued within 180 days of receiving a complete application. Applications must be complete before Ohio EPA will initiate the review process.

What are some typical requirements of a Section 401 certification?

Applicants must mitigate wetland impacts by restoring or enhancing wetlands elsewhere in accordance with the wetland water quality standards. Ohio EPA may also require applicants to mitigate stream impacts by restoring impacted stream segments or purchasing conservation easements within the impacted watershed.

What are nationwide permits?

Specific activities that will have minimal environmental impacts may be authorized by the Corps under nationwide permits (NWP). If the activities meet the conditions of the NWP, the project generally does not need an individual Section 401 water quality certification. Some projects may require an individual 401 water quality certification even though they are covered by the NWPs. The Corps will notify the applicant in these situations. There are currently NWPs for approximately 40 specific activities. To determine whether a project qualifies for NWP coverage, or requires an individual Section 401 water quality certification from Ohio EPA, applicants should contact the Corps and Ohio EPA's Division of Surface Water (DSW).

Pre-Application Guidelines for 401 Certifications

Following these general guidelines can help ensure that your project is feasible and correctly planned. It is recommended that you determine the quantity and quality of streams and wetlands present on the proposed project site *before* purchasing the land or designing the project. Once this determination has been made, the next step should be an analysis of the economic feasibility of your project, including an evaluation of the potential steps necessary to avoid or minimize impacts to streams and wetlands on the site. If the project is still feasible, arrange a pre-application meeting with Ohio EPA prior to completing any final engineering designs.

- To avoid costly redesign or delays to the project, it is recommended that the applicant involve Ohio EPA early in the planning process before any plans are finalized.
- Ohio EPA expects projects to be designed to conform to current water quality rules and regulations. Failing to update older or outdated designs and Section 401 applications before submittal to Ohio EPA will result in delays in the review process.
- Certification review times depend on the complexity of the project and public involvement requirements.
- Any deadlines that applicants feel are necessary for the success of their project must be communicated to Ohio EPA at the time the application is submitted. Ohio EPA cannot make changes or exceptions in review procedures which are required by laws and rules.
- Projects that include green space or parkland set asides may be able to utilize these set asides to fulfill Ohio EPA's avoidance and minimization guidelines. When the project design layout is developed, Ohio EPA recommends that applicants incorporate areas such as the higher quality wetlands, streams and mature forest buffers on the site as these set asides. Project layouts which set aside such areas are more likely to meet the guidelines. Similarly, for applicants requesting certification for linear projects, Ohio EPA recommends locating projects and reducing construction limits to avoid and minimize impacts to high quality resources.

Where can I get application forms?

Visit DSW's Web site at www.epa.ohio.gov/dsw/401/index.aspx for additional information and to download the 401 certification application form. Or, contact the division directly at (614) 644-2001.

Isolated Wetland Permit

Who must apply?

In a 2001 decision, the U.S. Supreme Court ruled that the U.S. Army Corps of Engineers (Corps) did not have authority to regulate isolated wetlands under Section 404 of the Clean Water Act (CWA). Prior to that ruling, the Corps regulated activities in all streams and wetlands through the issuance of Section 404 permits.

Following that court decision, the Ohio legislature gave Ohio EPA authority to issue permits for activities in isolated wetlands.

Any person who wishes to place dredged or fill material into isolated wetlands must apply for and receive an isolated wetland permit from Ohio EPA. An isolated wetland is one that is not adjacent or connected to navigable waters (for example, lakes, ponds, streams, rivers). Typical projects that may require an isolated wetland permit include highway construction, commercial development, utility line projects and residential development.

How long is the individual isolated wetland permit valid?

It is valid for five years.

How much does it cost?

For a current listing of fees, refer to Ohio EPA's Fee Schedule at www.epa.ohio.gov/portals/47/facts/feeschedule.pdf.

What is the application review process?

The application review process has three levels, depending on the type and size of wetlands that will be disturbed in the project.

(1) For a proposal to fill a category 1 or a category 2 isolated wetland (one-half acre or less in size):

This requires a general state isolated wetland permit and is subject to a level one review. A level one review requires the submission of a pre-activity notice that includes an application, an acceptable wetland delineation, a wetland categorization, a description of the project, a description of the acreage of the isolated wetland that will be subject to filling, site photographs and a mitigation proposal for the impact to the isolated wetland. A general permit is effective for five years.

Within 15 days after receiving the pre-activity notice, Ohio EPA will notify the applicant whether the application is complete, including identifying

What are the applicable rules or laws?

- ORC Chapters 6111.020 thru 6111.029
- ORC Chapter 3745-113
- OAC Rule 3745-45-02 and 3745-1-54

additional information needed. If the applicant fails to provide additional information within 60 days, Ohio EPA may return the application and take no further action on it.

After receiving a complete pre-activity notice, the applicant will receive notice within 30 days if the project is not authorized under the general permit. Within 30 days, if the applicant does not receive a notice that the project is not authorized, the applicant may move forward with the proposed project in accordance with the conditions stated in the general permit. There is a two-year time limit on this.

You can find the general permit for isolated wetland activities at www.epa.ohio.gov/dsw/401/WQC.aspx.

(2) For a proposal to fill a category 1 isolated wetland (greater than one-half acre in size) or a category 2 isolated wetland (greater than one-half acre but less than three acres):

This requires an individual state isolated wetland permit and is subject to level two review. The level two review requires submission of a pre-activity notice and supporting information (see above), an analysis of practicable on-site alternatives that would have a less adverse impact on the isolated wetland ecosystem and information indicating whether high quality waters (as defined in the OAC) are to be avoided by the proposed filling of the isolated wetland. An individual permit is effective for five years.

(3) Proposals to fill a category 2 isolated wetland (greater than three acres) or a category 3 isolated wetland require an individual state isolated wetland permit and are subject to level three review requirements.

The level three review requires submission of a pre-activity notice and supporting information (see above) and information indicating whether high quality waters (as defined in the OAC) are to be avoided by the proposed filling of the isolated wetland. In addition, level three review requires a full antidegradation review. An individual permit is effective for five years.

Isolated Wetland Permit

Both levels 2 and 3 reviews require public notice and possible public hearings. Ohio EPA must take an action within 90 days for level 2 reviews and 180 days for level 3 reviews.

What are some typical requirements of an isolated wetland permit?

Applicants must mitigate isolated wetland impacts by restoring, enhancing or preserving wetlands in accordance with ORC 6111. Mitigation can occur on

site, in the watershed or at a mitigation bank approved by Ohio EPA's director.

Where can I get more information?

For more information on isolated wetland permits, including the general permit for isolated wetland activities, go to www.epa.ohio.gov/dsw/401/IWP.aspx.

Public Water Systems

Plan Review and License to Operate

Who must apply?

Water wells used for public water supplies are regulated by Ohio EPA's Division of Drinking and Ground Waters (DDAGW). A public water system is any system providing water through collection, treatment and distribution facilities where at least 25 people have access to the water any 60 days out of the year. This includes water used for drinking, bathing, showering, tooth brushing, food preparation or dishwashing. Public water systems fall into three categories:

- community water systems (municipal systems, rural water districts and mobile home parks);
- nontransient, noncommunity water systems (schools, factories and office buildings); and
- transient, noncommunity water systems (parks, motels, restaurants and churches).

Parties interested in putting in a well that meets the definition of a public water system must request a well-site evaluation and receive a well-site acceptance letter before installing the well. Before making changes to an existing well or treatment system, or using the well as a public water system, detailed plans must be approved by Ohio EPA. In most cases, public water systems must also obtain a license to operate from Ohio EPA. Larger public water systems must have a certified operator in charge of the system.

Note: A private water system has less than 15 service connections and does not regularly serve an average of at least 25 people daily at least 60 days a year. Contact your local health department for more information on siting, construction permits and other requirements that apply to private water systems.

What are the applicable rules or laws?

- ORC 6109
- OAC Chapters 3745-91 and 3745-81

How much does it cost?

For a current listing of fees, refer to Ohio EPA's Fee Schedule at www.epa.ohio.gov/portals/47/facts/feeschedule.pdf.

What is the plan approval process?

For a detailed description of the public water system plan review and approval process, see Ohio EPA's *Plan Review Procedures for Drinking Water Facilities*, available through DDAGW's Web site at www.epa.ohio.gov/ddagw/pws.aspx.

What are some of the typical requirements?

- Obtaining plan approval and license from Ohio EPA.
- Hiring a certified operator, where applicable.
- Testing drinking water and reporting results.
- Complying with notification requirements.
- Correcting any compliance problems.

Where can I get more information?

More information and forms can be downloaded through DDAGW's Web site at www.epa.ohio.gov/ddagw/pws.aspx. Or, contact your local Ohio EPA district office to receive application forms.

Hazardous Waste Treatment, Storage and Disposal Permit

Who must apply?

Facilities involved in the treatment, storage or disposal of hazardous waste must obtain a hazardous waste facility permit from Ohio EPA. Universal waste destination facilities that store waste prior to recycling must also obtain a hazardous waste facility permit. Additionally, recycling facilities that store hazardous wastes before recycling must obtain a hazardous waste facility permit. A permit must be obtained prior to constructing a new facility or making modifications to an existing facility.

If you are strictly generating a hazardous waste at your business, you are not required to get a permit from Ohio EPA. Depending on the quantity of hazardous waste generated, however, you may be required to obtain a generator identification number from Ohio EPA's Division of Hazardous Waste Management (DHWM). Generators must comply with specific operating and record-keeping requirements. For more information on the hazardous waste generator regulations, visit DHWM's Web site at www.epa.ohio.gov/dhwm/generator_requirements.aspx.

How long is the permit valid?

The permit is valid for 10 years.

How much does it cost?

For a current listing of fees, refer to Ohio EPA's Fee Schedule at www.epa.ohio.gov/portals/47/facts/feeschedule.pdf.

What are the typical requirements?

The hazardous waste facility requirements are extensive. For more information, refer to Ohio Revised Code Chapter 3734.05(C) and (H), Ohio Administrative Code Rules 3745-50-40 through 3745-50-44 and 3745-50-62.

What is the application process and how long does it take?

Because of the technical complexity of hazardous waste facilities and extensive permitting and compliance requirements, the permit review process for a new facility can take a significant amount of time. General steps in the process include:

- Step 1.** Contact the Ohio EPA district office that has jurisdiction over the county in which the facility is or will be located.
- Step 2.** Submit the permit application and application fee to Ohio EPA. The applicant is responsible for submitting detailed information about the

What are the applicable rules or laws?

- ORC Chapter 3734
- ORC Chapters 3745-50 through 3745-69

proposed activities as part of the application package. If the proposed or existing facility is an off-site facility as defined in Ohio Revised Code Chapter 3734.41, the permit applicant must submit a disclosure statement. Contact the Attorney General's Office (614) 466-7482 for more information.

Step 3. Ohio EPA staff review the application and information supplied to determine whether the application is complete and technically adequate. If incomplete, the applicant will receive a Notice of Deficiency (NOD) within 30 days, detailing those areas which are either incomplete and/or technically inadequate. The applicant then must respond to the NOD with additional information. More than one NOD may be issued before an application package is considered complete and technically adequate and before a recommended action on the permit can be forwarded to the director.

Step 4. Once a permit is issued as a draft action, there will be a public hearing and public comment period. The final action will include Ohio EPA's formal response to all comments received during the comment period. Although not common, Ohio EPA may issue a Notice of Intent to deny the permit. Final actions of Ohio EPA are appealable to the Environmental Review Appeals Commission (ERAC).

For existing facilities with waste management activities that become subject to hazardous waste permitting requirements because of statutory or regulatory change, a modification application must be submitted to Ohio EPA within 30 days of the effective date of the regulatory or statutory change.

For existing facilities seeking permit renewal, an application must be submitted to Ohio EPA no later than 180 days prior to the expiration date of the current effective permit.

Where can I get more information and application forms?

For more information, visit DHWM's Web site at www.epa.ohio.gov/dhwm.

Construction and Demolition Debris Disposal Facility

License to Operate

Who must apply?

Anyone proposing to start a construction and demolition debris (C&DD) disposal facility must obtain a license to operate. The license is issued by the licensing authority (either the local health department or Ohio EPA). Annual renewal of the license to operate is required.

After a license is issued, if the owner or operator wants to modify or alter the facility, they must obtain further authorization from the licensing authority. This includes submitting a license application for the modification.

How long is the license valid?

One year.

How much does it cost?

For a current listing of fees, refer to Ohio EPA's Fee Schedule at www.epa.ohio.gov/portals/47/facts/feeschedule.pdf.

In addition to licensing, what are some typical requirements?

C&DD landfills can accept only debris from construction and demolition activities and three specific types of solid waste. These solid wastes are: packaging resulting from the use of construction materials where the packaging is incidental to the load; tree stumps, trunks and branches exceeding four inches in diameter where the branches are clean of leaves and smaller branches; and asbestos-containing materials only if a NESHAP (National Emission Standard Hazardous Air Pollutant) air permit has been issued to the facility.

A C&DD landfill cannot accept other solid waste, hazardous waste, regulated PCB wastes, bulk liquids or wastes containing free liquids, infectious waste, scrap tires or yard waste. There are many requirements that apply to C&DD landfills, including:

- siting and design criteria;
- operating requirements, including maintaining the working face; preventing fires; proper management of surface water and leachate; and prevention of nuisances or health hazards (for example, managing noise, dust, odors, insects and rodents);
- record-keeping, including records of accepted and rejected waste loads;
- ground water monitoring if the facility is located near wells or an aquifer;

What are the applicable rules or laws?

- ORC Chapter 3714
- OAC Chapters 3745-400 and 3745-37
- financial assurance to ensure adequate funding is available for proper closure; and
- proper closure of landfill once ceasing operation.

What is the application process?

Step 1. Contact the licensing authority to receive an application form. The licensing authority is either Ohio EPA or the local health department. If Ohio EPA is the licensing authority, contact the district office. For a list of approved health departments, visit DSIWM's Web site at www.epa.ohio.gov/dsiwm/pages/general.aspx.

Step 2. Submit application, fee and all required site characterization information and engineering plan drawings to the licensing authority. The application must be submitted to the licensing authority at least 90 days before proposed operations are expected to begin.

Step 3. The licensing authority reviews the application for completeness. If not complete, the licensing authority will send a Notice of Deficiency (NOD) to the applicant with a request for additional information. If the licensing authority is Ohio EPA, once the application is considered complete, the district office sends a draft license to central office.

Step 4. If the licensing authority is Ohio EPA, the director issues the final license to the applicant. The director also has the authority to deny an applicant's license. If the licensing authority is the local health department, the board of health will take a final action on the license (issuance or denial).

How long does the licensing process take?

The review process for an initial or renewal license application is 90 days, once a complete application is received. An application for license renewal for an existing facility must be submitted to the licensing authority during September of each calendar year.

Where can I get application forms and more information?

For more information on the construction and demolition debris requirements, visit DSIWM's Web site at www.epa.ohio.gov/dsiwm/pages/cdd_docs.aspx.

Composting Operations

Permit, Registration and License

Who must apply?

The solid waste composting program requires that a composting facility obtains a registration, license and/or permit, according to the classification of the facility. Other requirements established by the program include: what types of wastes can be composted, operational requirements of the facility and testing requirements for the finished product prior to distribution. Wastes which may be acceptable for composting are categorized as feed stocks types, bulking agents or additives.

What are the different classifications of composting facilities and permitting or licensing requirements?

Class I Compost Facilities

These facilities may accept a variety of non-source separated solid wastes. Non-source separated solid wastes include household trash (consisting of glass, food, plastics, pesticides, household cleaners, etc.) and wastes from any other type of facility that has not been separated at the point of generation. Class I facilities do not have size restrictions. These facilities require a permit and license.

A *permit-to-install* (PTI) application must be submitted to, and approved by, Ohio EPA prior to the construction of a new class I composting facility and prior to the modification of an existing class I composting facility. The PTI, unless otherwise revoked or terminated, generally stays in effect until Ohio EPA and the approved health district having jurisdiction have received certification that all required final closure activities have been completed.

Class I facilities must also have a separate *license* for the operation. The license is obtained from the board of health in the health district in which the facility is located, or by the director of Ohio EPA, if the director has assumed the licensing function for that health district.

In addition to getting a permit and license, class I facilities must comply with other requirements related to construction, technical design, operating and maintenance requirements, closure, record-keeping and financial assurance. Financial assurance is a standard of financial responsibility established to assure that funds will be available for proper closure of a facility. Where required, the amount of financial assurance for a composting facility is based on the volume of material, which

What are the applicable rules or laws?

- ORC 3734.02, 05, 06
- ORC 3734.40 through 44 and ORC 3745.11
- OAC Chapters 3745-27, 28, 37

includes the feed stock, curing compost, cured compost, bulking agents and additives.

Class II Compost Facilities

This classification may only accept source-separated yard waste, animal wastes, specified agricultural wastes, authorized bulking agents and additives, and other alternative materials. Alternative materials (feed stocks, bulking agents and additives) may be used in the compost process if prior approval is obtained from the director of Ohio EPA. Class II facilities do not have size limitations. Such facilities require a license and registration.

New class II solid waste composting facilities must submit a *registration* form at least 30 days prior to the date on which the facility will accept waste. The form is submitted to the director of Ohio EPA and a copy to the approved health district having jurisdiction over the area where the composting facility is located. A registration is not considered complete unless it contains all required information and original signatures.

Class II facilities must also have a separate *license* for the operation. The license is obtained from the board of health in the health district in which the facility is located, or by the director of Ohio EPA, if the director has assumed the licensing function for that health district. Class II facilities need to complete paperwork to obtain a license concurrent with submitting the completed registration form.

In addition to getting a permit and license, class II facilities must comply with other requirements related to construction, design, operating and maintenance requirements, record-keeping, closure and financial assurance.

Class III and Class IV Composting Facilities

Class III facilities may only accept source-separated yard waste, animal wastes, specified agricultural wastes, authorized bulking agents and additives. These facilities must be limited to less than 15,000 square yards of total area. Class III facilities require only a *registration*.

Class IV facilities may accept only source-separated yard waste, authorized bulking agents and the following additives: urea and bacteria or fungal

Composting Operations

inoculum. These facilities do not have size restrictions. Class IV facilities only require a *registration*.

Class III and IV composting facilities must submit a registration form at least 30 days prior to the date on which the facility will accept solid waste. The registration form is submitted to the director of Ohio EPA and a copy to the approved health district having jurisdiction over the area where the composting facility is located. A registration is not considered complete unless it contains all required information and original signatures.

In addition to registration, class III and IV facilities must comply with other requirements related to construction, operating and maintenance requirements, closure and record-keeping. Financial assurance is not required for class III and IV facilities.

What are the fees for operating a composting facility?

For a current listing of fees, refer to Ohio EPA's Fee Schedule at www.epa.ohio.gov/portals/47/facts/feeschedule.pdf.

Where can I get more information and forms?

You can get more information and forms through DSIWM's Web site at www.epa.ohio.gov/dsiwm/pages/comp_docs.aspx.

Scrap Tire Transporter

Registration

Who must apply?

Anyone transporting scrap tires into or out of Ohio must first register with Ohio EPA. An annual registration fee and financial assurance are also required. Registration as a scrap tire transporter in another state is not sufficient.

Are there exceptions to the scrap tire transporter registration requirements?

Yes. Ohio Administrative Code rule 3745-27-54 outlines the specific conditions where registration as a scrap tire transporter is not required.

How long is the registration valid?

New scrap tire transporters wishing to establish a business must submit an application for registration to the Ohio EPA at least 90 days prior to the date that tires are to be transported. Initial registration applications must be accompanied by an application fee. The registration must be renewed annually by January 31.

What are the fees for operating as a scrap tire transporter?

For a current listing of fees, refer to Ohio EPA's Fee Schedule at www.epa.ohio.gov/portals/47/facts/feeschedule.pdf.

What are the applicable rules or laws?

- ORC Sections 3734.74, .83
- OAC Chapters 3745-27-54 through 57

What is the application process?

- Step 1.** Submit registration application to the Division of Solid and Infectious Waste Management, Scrap Tire Management Unit.
- Step 2.** Application must include a draft financial assurance instrument meeting the requirements of OAC 3745-27-15.
- Step 3.** Applicant and Ohio EPA communicate on needed revisions.
- Step 4.** Revised application and/or financial assurance submitted.
- Step 5.** Executed financial assurance instrument submitted.
- Step 6.** Registration issued or denied.

How long does the permitting process take?

It may take up to 90 days to receive approval (or denial) of the registration certificate. If there are problems with the application (for example, insufficient data, incorrect information or other problems), it may take more than 90 days.

Scrap Tire Transporter

What are some typical requirements for scrap tire transporters?

- Restrict deliveries of scrap tires to authorized locations.
- Use shipping papers and manifests.
- Submit annual reports of all scrap tires transported, the county of origin of the scrap tires and the destinations delivered to.
- Store tires in vehicles/trailers for up to 30 days. Any storage on the ground or in buildings requires a separate scrap tire storage facility registration/permit.
- Must take specific steps to control mosquitos.
- Establish financial assurance.

- Sort scrap tires at least 50 feet from a building not owned or leased by the transporter.
- Final closure is required for all registered scrap tire transporters who will no longer be transporting tires.

Where can I get more information about scrap tire transporter requirements and forms?

You can get more information and forms through DSIWM's Web site at www.epa.ohio.gov/dsiwm/pages/tire_docs.aspx.

Scrap Tire Collection Facilities

Registration and License

Who must apply?

A scrap tire collection facility is used for the receipt and storage of whole scrap tires from the public prior to the transportation of the scrap tires to an approved destination for processing or disposal. In order for a facility to meet the definition of a collection facility, other conditions must also be met. See Ohio Administrative Code (OAC) Rule 3745-27-01 for more details on the definition of a scrap tire collection facility.

A scrap tire collection facility must obtain a registration certificate from Ohio EPA and an annual operating license from the licensing authority, either the local approved health department or Ohio EPA.

Are there any exemptions from registering as a collection facility?

Yes. There are some exemptions from the requirement to obtain a registration certificate for certain facilities. See OAC rule 3745-27-61(A)(2). Facilities exempt from registering and licensing must comply with OAC rule 3745-27-60.

What are the fees for a scrap tire collection facility?

For a current listing of fees, refer to Ohio EPA's Fee Schedule at www.epa.ohio.gov/portals/47/facts/feeschedule.pdf.

What are the applicable rules or laws?

- ORC Sections 3734.70, .75, and .81
- OAC Rules 3745-27-01, 3745-27-57, 3745-27-62, 3745-27-65 and 3745-27-66

What are some of the typical requirements for a scrap tire collection facility?

- Compliance with specific storage requirements (maximum storage areas, use of portable containers) and operating criteria. *All tires must be stored in portable containers and not on the ground.*
- In general, whole scrap tires must be stored. The storage of cut or shredded scrap tires is not authorized at a collection facility.
- Maintaining appropriate fire lanes around containers at all times.
- Obtaining a registration certificate from Ohio EPA.
- Obtaining an annual operating license from the approved local health department.
- Compliance with record-keeping requirements, including shipping papers and daily logs to track incoming and outgoing shipments and to provide a constant estimate of the number of tires on site.
- Covering tires with soil at a collection facility is *prohibited*.

Where can I get more information and forms?

Registration and license applications can be downloaded from DSIWM's Web site at www.epa.ohio.gov/dsiwm/pages/tire_docs.aspx.

Scrap Tire Storage Facilities

Registration, License and Permit

Who must apply?

A scrap tire storage facility is where whole scrap tires are stored prior to being transported to an approved destination. A scrap tire storage facility is designated as either Class I or Class II, depending on the size of the facility.

Class I scrap tire storage facilities have a scrap tire storage area greater than 10,000 square feet and up to three acres of effective whole scrap tire storage. A Class I scrap tire storage facility permit can be issued only to owners or operators who also have a licensed scrap tire recovery facility, monofill or monocell located in Ohio or an equivalent solid waste facility located in another state.

Class II scrap tire storage facilities are limited to a maximum of 10,000 square feet of effective scrap tire storage area (equal to about 50,000 passenger tires).

Are there any exemptions from registering as a storage facility?

Yes. There are some exemptions from the requirement to obtain a registration certificate for certain facilities. See OAC rule 3745-27-61(A)(2). Facilities exempt from registering and licensing must comply with OAC rule 3745-27-60.

What are the registration, license and permitting requirements?

The smaller of the two classes, Class II scrap tire storage facilities, must obtain a *registration* certificate from Ohio EPA. In addition, Class II facilities must obtain an annual solid waste facility *license* from the approved local health department before accepting scrap tires. An application for a new license must be submitted each year by September 30.

Class I scrap tire storage facilities must obtain a *permit* from Ohio EPA and an annual solid waste *license* from the approved local health department before initiating operations.

What are the applicable rules or laws?

- ORC Sections 3734.71, .76, and .81
- OAC rules 3745-27-57 and 3745-27-61 through 3745-27-66

What are the fees for a scrap tire storage facility?

For a current listing of fees, please refer to Ohio EPA's Fee Schedule at www.epa.ohio.gov/portals/47/facts/feeschedule.pdf.

What are the typical requirements for a scrap tire storage facility?

- Class I scrap tire storage facility applicants must also submit a disclosure statement to the Ohio Attorney General's Office (at the same time the permit is submitted to Ohio EPA) to initiate a background check on key company employees.
- All storage facilities must comply with specific operating and storage requirements for scrap tires including limitations on storage pile size, maintaining fire lanes or separation distances and covering or treating outdoor piles to control mosquitoes.
- Financial assurance is required to ensure that funds will be available to properly close (remove scrap tires from) the facility if the owner or operator abandons the site and scrap tires remain at the facility.
- Scrap tire storage facilities must complete shipping papers each time scrap tires are delivered to or removed from the facility. An annual report summarizing all shipping papers also must be submitted to Ohio EPA.
- For scrap tires stored outdoors and uncovered, the facility must maintain an effective mosquito control program and a file including records of all insecticide applications.
- Maximum height of storage piles is 14 feet.

Where can I get more information and forms?

Registration, permit and license applications can be downloaded from DSIWM's Web site at www.epa.ohio.gov/dsiwm/pages/tire_docs.aspx.

Scrap Tire Recovery Facilities

Permit, License and Registration

Who must apply?

A scrap tire recovery facility is one that processes scrap tires for the purpose of extracting or producing usable products, materials or energy. A scrap tire recovery facility is designated as either a Class I, Class II or a mobile scrap tire recovery facility. Both Class I and Class II scrap tire recovery facilities have one permanent operating location in Ohio for scrap tire processing. Whether a facility is designated as a Class I or a Class II scrap tire recovery facility depends on each facility's daily designated processing rate.

Class I scrap tire recovery facilities process 200 tons or more per day. *Class II* scrap tire recovery facilities process 199 tons of scrap tires or less per day.

If a company does not have a permanent scrap tire recovery facility in Ohio and wants to operate portable equipment in Ohio to produce useable material such as tire-derived fuel or tire-derived chips, the company must submit a registration and obtain a license as a *mobile scrap tire recovery facility*.

Are there any exemptions from registering as a recovery facility?

Yes. There are some exemptions from the requirement to obtain a registration certificate for certain facilities. See OAC rule 3745-27-61(A)(2). Facilities exempt from registering and licensing must comply with OAC rule 3745-27-60.

What are the specific permit, registration and licensing requirements?

Class I scrap tire recovery facilities are required to obtain a *permit* from Ohio EPA and pay a one-time permit fee. All Class I scrap tire recovery facility applicants must submit disclosure statements for key company employees annually to the Ohio Attorney General's Office for a background check.

Class II scrap tire recovery facilities are required to *register* with Ohio EPA and pay a one-time registration fee.

All scrap tire recovery facilities must also apply for and obtain a solid waste license from the approved local health department. Each year an application for a new annual license must be submitted by September 30.

What are the applicable rules or laws?

- ORC Sections 3734.73, .78, and .81
- OAC Rules 3745-27-57 and 3745-27-61 through 3745-27-67

What are the scrap tire recovery facility fees?

For a current listing of fees, please refer to Ohio EPA's Fee Schedule at www.epa.ohio.gov/portals/47/facts/feeschedule.pdf.

What are some of the typical requirements?

- Limitations on the amount of scrap tires that can be stored at the recovery facility.
- Compliance with specific operating and storage requirements, including limitations on the size of storage piles, maintaining fire lanes, covering outdoor piles or providing mosquito control measures.
- Providing financial assurance to ensure availability of funds to properly close the facility.
- Completing shipping papers each time scrap tires are delivered to or removed from scrap tire facilities and complete an annual report summarizing all shipping papers.
- For scrap tires stored outside, the facility also must maintain a mosquito control program and a file which includes records of all insecticide applications.

Where can I get more information and forms?

Registration, permit and license applications can be downloaded from Ohio EPA's Web site at www.epa.ohio.gov/dsiwm/pages/tire_docs.aspx.

Scrap Tire Beneficial Use

Project Plan Approval

Who must apply?

Ohio EPA encourages the reduction, re-use and recycling of all waste materials, including scrap tires. However, Ohio law requires landowners, construction companies and others to receive specific Ohio EPA authorization to beneficially use whole or processed scrap tires before beginning any type of project which is not specifically listed in the regulations as a pre-approved project. If a proposed project is not listed as pre-approved, then a project plan must be submitted and approved by Ohio EPA before a project may be implemented.

How do I find out more about pre-approved projects?

Refer to Ohio Administrative Code (OAC) rule 3745-27-78 for a list of pre-approved beneficial use projects that have been authorized by rule, or visit www.epa.ohio.gov/portals/34/document/guidance/gd_671.pdf. You can also contact the Division of Solid and Infectious Waste Management for more information.

If I need to submit a beneficial use project plan, how long is it effective?

The time period for construction of the project is specified in the final, approved project plan.

How much does it cost?

No fees are charged.

What are some requirements of the project plan?

OAC Rules 3745-27-78(F) and (G) describe the requirements for all proposed scrap tire beneficial uses which are not pre-approved. All required project plans are to be submitted through the appropriate Ohio EPA district office where each project is proposed.

- Number, weight, or volume of scrap tires to be used.
- Total length of time the project is expected to take.
- A detailed description of how the tires will be used.
- The kind of construction material normally used which is being replaced by the scrap tires or shreds.
- Mosquito controls to be utilized for temporary storage of the whole tires to be used during the project.
- Detailed engineering plans and specifications for the project.

What are the applicable rules or laws?

- ORC Chapters 3734.01, .02, .70 through .74 and .84
- OAC Rule 3745-27-78

What is the application process?

- Step 1.** Submit project plan for a scrap tire beneficial use to Ohio EPA, Division of Solid and Infectious Waste Management, Scrap Tire Management Unit.
- Step 2.** Applicant and Ohio EPA communicate on needed revisions.
- Step 3.** Revisions submitted.
- Step 4.** Review revised proposal.
- Step 5.** Director's action issued approving or denying the project plan. If approved, construction may begin.
- Step 6.** Project completion report sent to Ohio EPA's Scrap Tire Management Unit.

Note: Depending on the specific beneficial use proposed, authorizations may be required by other local and/or state regulatory offices such as local building code enforcement offices, zoning authorities, local health departments, etc.

How long does the process take?

Once the project plan is complete and technically adequate, the director's action is usually issued within 90 days.

Where can I get more information?

Information on project plan requirements can be found on DSIWM's Web site at www.epa.ohio.gov/dsiwm/pages/tire_docs.aspx.

Scrap Tire Disposal Facility

Permit and License

Who must apply?

Disposal of scrap tires in Ohio can only occur at permitted and licensed scrap tire monofills (OAC 3745-27-70) or scrap tire monocells (OAC 3745-27-69).

For these facilities, the permit application must be submitted to the appropriate Ohio EPA district office. A permit-to-install (PTI) must be obtained from Ohio EPA before a scrap tire disposal facility can be constructed or expanded in Ohio. A PTI outlines how the facility will comply with Ohio's siting, design, construction, monitoring and operational requirements.

A license application must be submitted to the approved local health department. Fees for the permit and license are based on the permitted authorized maximum daily waste receipts. An annual application for a new license must be submitted by September 30.

How much does it cost?

For a current listing of fees, refer to Ohio EPA's Fee Schedule at www.epa.ohio.gov/portals/47/facts/feeschedule.pdf.

What are some typical requirements?

- Siting restrictions.
- Design, storage and construction requirements.
- Operation/maintenance standards.
- Contingency/emergency plans.
- Mosquito control requirements.
- Owner/operator background check for permits.
- Closure provisions (for all) and post-closure care provisions for monofills.
- Financial responsibility for closure and post closure care provisions for monofills.

What is the application process?

Step 1. The application process begins when Ohio EPA receives a PTI application at the district office.

Step 2. Ohio EPA publishes a legal notice to inform the public that a PTI application has been received. The notice appears in Ohio EPA's *Weekly Review* and in the local newspapers of general circulation in the county in which the facility is located or proposed to be located. The notice is also posted on the Agency's Web page.

What are the applicable rules or laws?

- ORC Sections 3734.72, .77 and .81
- OAC Rules 3745-27-57 and 3745-27-69 through 75

Step 3. For some permits, depending on the purpose of the permit and the type of facility, the applicant must conduct a public meeting to provide information about the application and respond to citizen comments and questions. After the meeting, the applicant forwards a copy of the meeting transcript and any other pertinent information to Ohio EPA.

Step 4. Ohio EPA reviews the PTI application to determine if the application is complete and meets applicable requirements. If there are deficiencies, Ohio EPA sends a letter to the applicant detailing the deficiencies and may request additional information.

Step 5. After the permit has been reviewed and before the issuance of a draft or proposed action, Ohio EPA holds a public information session to discuss the Agency's review of the application. The applicant is available at this information session to answer questions as directed by Ohio EPA.

Step 6. If the application meets the requirements, Ohio EPA issues a draft PTI. Ohio EPA then issues a public notice announcing the issuance of the draft permit and a public hearing and comment period is held. Following the public comment period, the director may issue a final permit or request additional information from the applicant. If the permit application is for a minor modification, Ohio EPA may go directly to a final decision. If the application does not meet the requirements, Ohio EPA issues a proposed denial. Parties can request an adjudication hearing on the proposed action with the hearing examiner.

Issuance of a final permit or issuance of a final denial are actions of the director. Ohio EPA issues a public notice announcing issuance or denial. Final actions may be appealed to the Environmental Review Appeals Commission (ERAC).

Where can I get application forms?

Application forms can be downloaded through DSIWM's Web site at www.epa.ohio.gov/dsiwm/pages/tire_docs.aspx. Or, contact your local Ohio EPA district office to receive application forms.

Solid Waste Transfer Facility Permit

Who must apply?

Any person wishing to establish or modify a solid waste transfer facility, either public or private must obtain a permit-to-install (PTI) from Ohio EPA. A solid waste transfer facility is any site or building that is used primarily for the purpose of transferring solid wastes (generated off the premises of the facility) from vehicles or containers into other vehicles or containers for transportation to a solid waste disposal facility.

In addition to a permit from Ohio EPA, the owner/operator must also obtain an operating license from the local health district prior to commencing operations.

How long is the permit valid?

The permit-to-install is a long-term development plan for the facility and does not expire. It may be superseded by other PTIs for future modifications. Before accepting any waste, the applicant must receive an annual operating license from the local health department (if approved) or Ohio EPA (if the local program is not approved).

How much does it cost?

For a current listing of fees, refer to Ohio EPA's Fee Schedule at www.epa.ohio.gov/portals/47/facts/feeschedule.pdf.

What are some typical requirements for transfer facilities?

- Facilities must comply with siting, design, operational and closure requirements in the regulations.
- Facilities must comply with contingency/emergency plan requirements.
- The owner/operator must submit a disclosure statement to the Attorney General's office.
- Owner/operator must comply with the financial assurance regulations to ensure adequate funds are available for closure of the facility.

What is the application process?

Step 1. The application process begins when Ohio EPA receives a facility PTI application at the district office.

Step 2. Ohio EPA publishes a legal notice to inform the public that a PTI application has been received. The notice appears in Ohio EPA's *Weekly Review* and in the local newspapers of general circulation in the county in which the facility is located or proposed to be located. The notice is also posted on the Agency's Web page.

What are the applicable rules or laws?

- ORC 3734.02, 3734.05(A)(2)(C) and 3745.11(Q)
- OAC Rules 3745-27-21 through 3745-27-24

Step 3. For some permits, depending on the purpose of the permit and the type of facility, the applicant must conduct a public meeting to provide information about the application and respond to citizen comments and questions. After the meeting, the applicant forwards a copy of the meeting transcript and any other pertinent information to Ohio EPA.

Step 4. Ohio EPA reviews the PTI application to determine if the application is complete and meets applicable requirements. If there are deficiencies, Ohio EPA sends a letter to the applicant detailing the deficiencies and may request additional information.

Step 5. After the permit has been reviewed and before the issuance of a draft or proposed action, Ohio EPA holds a public information session to discuss the Agency's review of the application.

Step 6. If the application meets the requirements, Ohio EPA issues a draft PTI. Ohio EPA then issues a public notice announcing the issuance of the draft permit and a public hearing and comment period is held. Following the public comment period, the director may issue a final permit or request additional information from the applicant. If the permit application is for a minor modification, Ohio EPA may go directly to a final decision. If the application does not meet the requirements, Ohio EPA issues a proposed denial. Parties can request an adjudication hearing on the proposed action with the hearing examiner.

Issuance of a final permit or issuance of a final denial are actions of the director. Ohio EPA issues a public notice announcing issuance or denial. Final actions may be appealed to the Environmental Review Appeals Commission (ERAC).

Where can I get application forms?

Application forms can be downloaded through DSIWM's Web site at www.epa.ohio.gov/dsiwm/pages/transfer_docs.aspx. Or, contact your local Ohio EPA district office to receive application forms.

Solid Waste Incinerator Permit

Who must apply?

Any person wishing to establish or modify an incinerator for the combustion of solid waste must obtain a permit-to-install (PTI) from Ohio EPA. Currently, there are no municipal solid waste incinerators operating in Ohio.

How long is the permit valid?

The PTI is a long-term development plan for the facility and does not expire. It may be superseded by other PTIs for future modifications. Before accepting any waste, the applicant must receive an annual operating license from the local health department (if approved) or Ohio EPA (if the local program is not approved).

How much does it cost?

For a current listing of fees, refer to Ohio EPA's Fee Schedule at www.epa.ohio.gov/portals/47/facts/feeschedule.pdf.

What are some typical requirements?

- Design and construction requirements.
- Operation/maintenance standards.
- Contingency/emergency plans.
- Owner/operator background check.
- Closure.
- Financial responsibility for closure.

Depending on the design of each facility's processing machinery, water or air discharges from the facility may be subject to permitting requirements of other Ohio EPA divisions. All new registration or permit applicants must contact Ohio EPA's Division of Air Pollution Control and Division of Surface Water to request a determination of whether additional permits are also required before initiating operations.

What is the application process?

Step 1. The application process begins when Ohio EPA receives a solid waste facility PTI application at the district office.

Step 2. Ohio EPA publishes a legal notice to inform the public that a PTI application has been received. The notice appears in Ohio EPA's *Weekly Review* and in the local newspapers of general circulation in the county in which the facility is located or proposed to be located. The notice is also posted on the Agency's Web page.

What are the applicable rules or laws?

- ORC 3734.02(C), .05, .06, .40-.44 and 3745.11
- OAC Chapters 3745-27, 28, 37

Step 3. For some permits, depending on the purpose of the permit and the type of facility, the applicant must conduct a public meeting to provide information about the application and to respond to citizen comments and questions. After the meeting, the applicant forwards a copy of the meeting transcript and any other pertinent information to Ohio EPA.

Step 4. Ohio EPA reviews the PTI application to determine if the application is complete and meets applicable requirements. If there are deficiencies, Ohio EPA sends a letter to the applicant detailing the deficiencies and may request additional information.

Step 5. After the permit has been reviewed and before the issuance of a draft or proposed action, Ohio EPA holds a public information session to discuss the Agency's review of the application.

Step 6. If the application meets the requirements, Ohio EPA issues a draft PTI. Ohio EPA then issues a public notice announcing the issuance of the draft permit and a public hearing and comment period is held. Following the public comment period, the director may issue a final permit or request additional information from the applicant. If the permit application is for a minor modification, Ohio EPA may go directly to a final decision. If the application does not meet the requirements, Ohio EPA issues a proposed denial. Parties can request an adjudication hearing on the proposed action with the hearing examiner.

Issuance of a final permit or issuance of a final denial are actions of the director. Ohio EPA issues a public notice announcing issuance or denial. Final actions may be appealed to the Environmental Review Appeals Commission (ERAC).

Where can I get application forms?

Application forms can be downloaded through DSIWM's Web site at www.epa.ohio.gov/dsiwm/pages/incin_docs.aspx. Or, contact your local Ohio EPA district office to receive application forms.

Infectious Waste Treatment Facility Permit

Who must apply?

Any person wishing to establish or modify a treatment facility that accepts infectious waste that was not generated by the owner of the treatment facility. All new treatment facilities or existing facilities that wish to make modifications must obtain a permit-to-install (PTI) from Ohio EPA prior to construction or modification.

How long is the permit valid?

The PTI has no expiration date and is a long-term development plan for the facility. There is a requirement for a 10-year anniversary permit review to ensure that the facility continues to meet the best available technology.

How much does it cost?

For a current listing of fees, refer to Ohio EPA's Fee Schedule at www.epa.ohio.gov/portals/47/facts/feeschedule.pdf.

What are some typical requirements?

- Using approved treatment methods.
- Meeting design and construction requirements.
- Meeting operation/maintenance standards.
- Developing contingency/emergency plans.
- Passing owner/operator background check completed by the Attorney General's Office.

What is the application process?

Step 1. The application process begins when Ohio EPA receives a facility PTI application at the district office.

Step 2. Ohio EPA publishes a legal notice to inform the public that a PTI application has been received. The notice appears in Ohio EPA's *Weekly Review* and in the local newspapers of general circulation in the county in which the facility is located or proposed to be located. The notice is also posted on the Agency's Web page.

Step 3. Ohio EPA reviews the PTI application to determine if the application is complete and meets applicable requirements. If there are deficiencies, Ohio EPA sends a letter to the applicant detailing the deficiencies and may request additional information.

What are the applicable rules or laws?

- ORC 3734.02, .021, .05, .06, .40-.44 and 3745.11
- OAC Chapters 3745-27, 28, 37

Step 4. After the permit has been reviewed and deemed complete the Ohio EPA holds a public hearing to gather comments on the permit. The applicant is required to have a representative in the audience during the public hearing. Typically, Ohio EPA holds a public information session to discuss the Agency's review of the application prior to the hearing. The information session and public hearing occur before the issuance of a draft or proposed action.

Step 5. If the application meets the requirements, Ohio EPA issues a draft PTI. Ohio EPA then issues a public notice announcing the issuance of the draft permit and a comment period is held. After the issuance of the draft permit, any citizen may request that another public hearing be held prior to the final decision of the director. Following the hearing and/or public comment period, the director may issue a final permit or request additional information from the applicant. If the application does not meet the requirements, Ohio EPA issues a proposed denial. Parties can request an adjudication hearing on the proposed action with the hearing examiner.

Issuance of a final permit or issuance of a final denial are actions of the director. Ohio EPA issues a public notice announcing issuance or denial. Final actions may be appealed to the Environmental Review Appeals Commission (ERAC).

Where can I get application forms?

Application forms can be downloaded through DSIWM's Web site at www.epa.ohio.gov/dsiwm/pages/iw_docs.aspx#s. Or, contact your local Ohio EPA district office to receive application forms.

Solid Waste Landfill Permit

Who must apply?

A solid waste permit-to-install (PTI) must be obtained from Ohio EPA before a solid waste facility can be constructed or expanded in Ohio. A PTI outlines how the facility will comply with Ohio's siting, design, construction, monitoring and operational requirements.

How much does it cost?

For a current listing of fees, refer to Ohio EPA's Fee Schedule at www.epa.ohio.gov/portals/47/facts/feeschedule.pdf.

What are some typical requirements?

There are many requirements applicable to solid waste landfill operations, including conformance to siting criteria, design, construction, operation, financial assurance, closure and post-closure requirements.

What is the application process?

Step 1. The application process begins when Ohio EPA receives a solid waste facility PTI application at the district office.

Step 2. Ohio EPA publishes a legal notice to inform the public that a PTI application has been received. The notice appears in Ohio EPA's *Weekly Review* and in the local newspapers of general circulation in the county in which the facility is located or proposed to be located. The notice is also posted on the Agency's Web page.

Step 3. For some permits, depending on the purpose of the permit and the type of facility, the applicant must conduct a public meeting to provide information about the application and to respond to citizen comments and questions. After the meeting, the applicant forwards a copy of the meeting transcript and any other pertinent information to Ohio EPA.

What are the applicable rules or laws?

- ORC Chapters 3734 and 3745
- OAC Chapters 3745-27 through 3745-30 and 37

Step 4. Ohio EPA reviews the PTI application to determine if the application is complete and meets applicable requirements. If there are deficiencies, the Agency sends a letter to the applicant detailing the deficiencies and may request additional information.

Step 5. After the permit has been reviewed and before the issuance of a draft or proposed action, Ohio EPA holds a public information session to discuss the Agency's review of the application.

Step 6. If the application meets the requirements, Ohio EPA issues a draft PTI. Ohio EPA then issues a public notice announcing the issuance of the draft permit and a public hearing and comment period is held. Following the public comment period, the director may issue a final permit or request additional information from the applicant. If the permit application is for a minor modification, Ohio EPA may go directly to a final decision. If the application does not meet the requirements, Ohio EPA issues a proposed denial. Parties can request an adjudication hearing on the proposed action with the hearing examiner.

Issuance of a final permit or issuance of a final denial are actions of the director. Ohio EPA issues a public notice announcing issuance or denial. Final actions may be appealed to the Environmental Review Appeals Commission (ERAC).

Note: For new landfills, the Ohio Attorney General's Office conducts a background check before Ohio EPA can issue a permit. This check verifies the permit applicant's reliability, expertise and competence in the solid waste business. It also prohibits people with convictions of disqualifying crimes from being involved in the business.

Where can I get application forms?

Application forms and design and operational guidance documents can be downloaded through DSIWM's Web site at www.epa.ohio.gov/dsiwm/pages/landfill_docs.aspx. Or, contact your local Ohio EPA district office to receive application forms.

Appendices

A Glossary of Environmental Terms

B Environmental Acronyms

C Contacts

District Offices/Local Air Agencies/Other Agencies

D Ohio EPA Web Sites

E Types of Permits

Web Links for Getting Permit Applications

F Permit/Industry Check List

Glossary

This glossary is meant to give readers a general understanding of the terms used in this handbook. These definitions may vary from the specific legal definitions found within the rules and regulations. For a more comprehensive list of environmental terms, visit U.S. EPA's Web site at www.epa.gov/OCEPaterms/.

Asbestos

A mineral fiber that can pollute air or water and cause cancer or asbestosis when inhaled. U.S. EPA has banned or severely restricted its use in manufacturing and construction.

Asbestos-containing Material

Any material containing more than 1 percent asbestos by weight, including particulate asbestos material.

Best Available Technology (BAT) for Air Pollution Control Permits

A case-by-case determination of an emission limit and/or control technique which, taking into account environmental, energy and economic considerations, represents the maximum emission control achievable by the source. The primary purpose of this requirement is to ensure that all new air emission sources are controlled with BAT at the time of source installation. This level of control is necessary to ensure that the ambient air impact of the new source is minimized.

Construction and Demolition Waste

Wastes, including building materials, dredging materials, tree stumps and rubble resulting from construction, remodeling, repair, demolition of homes, commercial buildings and other structures. These may contain lead, asbestos or other hazardous substances.

Criteria Pollutant

Any pollutant for which U.S. EPA has established a National Ambient Air Quality Standard (NAAQS), specifically carbon monoxide, lead, nitrogen oxides, ozone, particulates and sulfur dioxide.

Direct Discharger

A municipal or industrial facility that introduces pollution into a water body through a defined conveyance or system such as outlet pipes.

Disposal Site

Land and facilities used for handling, transfer or disposal of hazardous or solid waste or resource recovery from solid waste (for example, landfills, transfer stations, hazardous waste facilities, incinerators).

Facility

All or part of any public or private building, structure, installation, equipment, vehicle or vessel.

Friable Asbestos Material

Any asbestos-containing material that, when dry, can be crumbled, pulverized or reduced to powder by hand pressure.

Hazardous Air Pollutant

An air pollutant listed in Section 112(b) of the Federal Clean Air Act.

Hazardous Waste

Any waste that appears on any hazardous waste list published in the Ohio Administrative Code (OAC), rules 3745-51-31 through 3745-51-33. Each listed waste is assigned a hazardous waste code. Unlisted wastes may still be hazardous if they exhibit any one of four hazardous waste characteristics: corrosive, reactive, ignitable or toxic.

Indirect Discharge

Pollutants introduced into a publicly owned wastewater treatment system. Indirect dischargers include commercial or industrial facilities that have wastes entering local sewers.

Infectious Wastes

Wastes that have, or are likely to have been, in contact with infectious agents that may present a substantial threat to public health, including such materials as: cultures and stocks of infectious agents, laboratory wastes, pathological wastes, blood specimens, contaminated body parts and needles (sharps).

Major Source (air pollution)

Under Title V, major sources are those stationary sources with a potential to emit:

- 100 tons per year or more of any one regulated pollutant (PM₁₀, nitrogen oxides, sulfur dioxide, carbon monoxide, volatile organic compounds and lead);
- 10 tons per year or more of any one hazardous air pollutant (HAPs); or
- 25 tons per year or more of any two or more hazardous air pollutants.

Multimedia

All environmental media: land, water and air.

Appendix A

National Pollutant Discharge Elimination System (NPDES)

A permit that regulates wastewater discharges by limiting the quantities of pollutants in the discharge and establishing monitoring requirements and other conditions. Whenever a municipality, industry or other business wishes to discharge water to a surface water, it must first obtain a NPDES permit.

Non-friable Asbestos-Containing Material

Any asbestos-containing material that, when dry, cannot be crumbled, pulverized or reduced to powder by hand pressure.

POTWs (Publicly Owned Treatment Works)

Public sewage/wastewater treatment facilities.

Pollutant

Generally, any substance introduced into the environment that can adversely affect the usefulness of a resource.

Potential to Emit

The maximum capacity of a stationary source to release any air pollutant under its physical and operational design.

Pretreatment

Process used to reduce or eliminate wastewater pollutants before they are discharged into a publicly owned treatment works (POTW).

Process Wastewater

Any water that comes into contact with any raw material, product, byproduct or waste.

Standard Industrial Classification (SIC) Codes

An indexing and classification system of business types developed by the U.S. Department of Commerce and used for census and statistical information. The North American Industry Classification System (NAICS) has replaced the SIC system. The U.S. Census Bureau has a conversion table to bridge the two systems at www.census.gov/epcd/www/naicstab.htm.

Sanitary Waste

Waste discharged from sinks, showers, kitchens, rest rooms or other non-industrial operations.

Septic Tank

An underground storage tank for wastes from homes or businesses not connected to a sewer line. Waste goes directly from the source to the tank.

Solid Waste

Unwanted material from industrial, commercial, agricultural and community operations such as garbage, tires, combustible and noncombustible

material, street dirt and debris. Solid waste does not include material classified as infectious or hazardous waste.

Storm Sewer

A system of pipes, separate from sanitary sewers, that carries only water runoff from buildings and land surfaces.

Surface Runoff

Precipitation, snow melt or irrigation water that cannot infiltrate the soil surface or be stored in small surface depressions. A major transporter of nonpoint source pollutants in rivers, streams and lakes.

Surface Water

All water naturally open to the atmosphere (for example; rivers, lakes, reservoirs, streams, wetlands impoundments, seas and estuaries). Also refers to springs, wells or other collectors that are directly influenced by surface water.

Treatment, Storage or Disposal (TSD) Facility

A facility that conducts hazardous waste treatment, storage or disposal activities. Facilities must receive an Ohio EPA permit for these activities.

Universal Waste

Specific hazardous waste streams (for example; lamps, batteries, mercury-containing thermostats and pesticides) that the generator can choose to manage in an alternative manner in place of more complex hazardous waste requirements.

Universal Waste Destination Facility

A facility that treats, disposes or recycles universal wastes.

Volatile Organic Compounds (VOCs)

Chemical compounds that easily evaporate into the atmosphere where they can react with sunlight to produce ground-level ozone or smog.

Wastewater

The spent or used water from a home, community, farm or industry that contains dissolved or suspended matter.

Water Pollution

Harmful or objectionable material present in sufficient quantities to affect or reduce the water's quality.

Wetlands

An area that is saturated by surface or ground water and contains vegetation adapted for life under those soil conditions, such as swamps, bogs, fens, marshes and estuaries.

Environmental Acronyms

Below are some common abbreviations and acronyms used for various EPA divisions, offices and environmental regulations

CAA -	Clean Air Act
CWA -	Clean Water Act
CDO -	Central District Office
CFR -	Code of Federal Regulations
CRO -	Cessation of Regulated Operations
DAPC -	Division of Air Pollution Control
DDAGW -	Division of Drinking and Ground Waters
DEFA -	Division of Environmental and Financial Assistance
DERR -	Division of Emergency and Remedial Response
DHWM -	Division of Hazardous Waste Management
DO -	District Office
DSIWM -	Division of Solid and Infectious Waste Management
DSW -	Division of Surface Water
ERAC -	Environmental Reviews Appeals Commission
NEDO -	Northeast District Office
NWDO -	Northwest District Office
OAC -	Ohio Administrative Code
OCAPP -	Office of Compliance Assistance and Pollution Prevention
ORC -	Ohio Revised Code
PIC -	Public Interest Center
PTI -	Permit-to-Install
PTIO -	Permit-to-Install and Operate
RCRA -	Resource Conservation and Recovery Act
SDWA -	Safe Drinking Water Act
SEDO -	Southeast District Office
SWDO -	Southwest District Office
UIC -	Underground Injection Control
VAP -	Voluntary Action Program

Appendix C

Contacts - Ohio EPA District Offices



Central District Office

50 W. Town St., Suite 270
Columbus, OH 43215
Phone (614) 728-3778
FAX (614) 728-3898
www.epa.ohio.gov/cdo/

Southeast District Office

2195 Front St.
Logan, OH 43138
Phone (740) 385-8501
FAX (740) 385-6490
www.epa.ohio.gov/sedo/

Northeast District Office

2110 E. Aurora Rd.
Twinsburg, OH 44087
Phone (330) 963-1200
FAX (330) 487-0769
www.epa.ohio.gov/nedo/

Southwest District Office

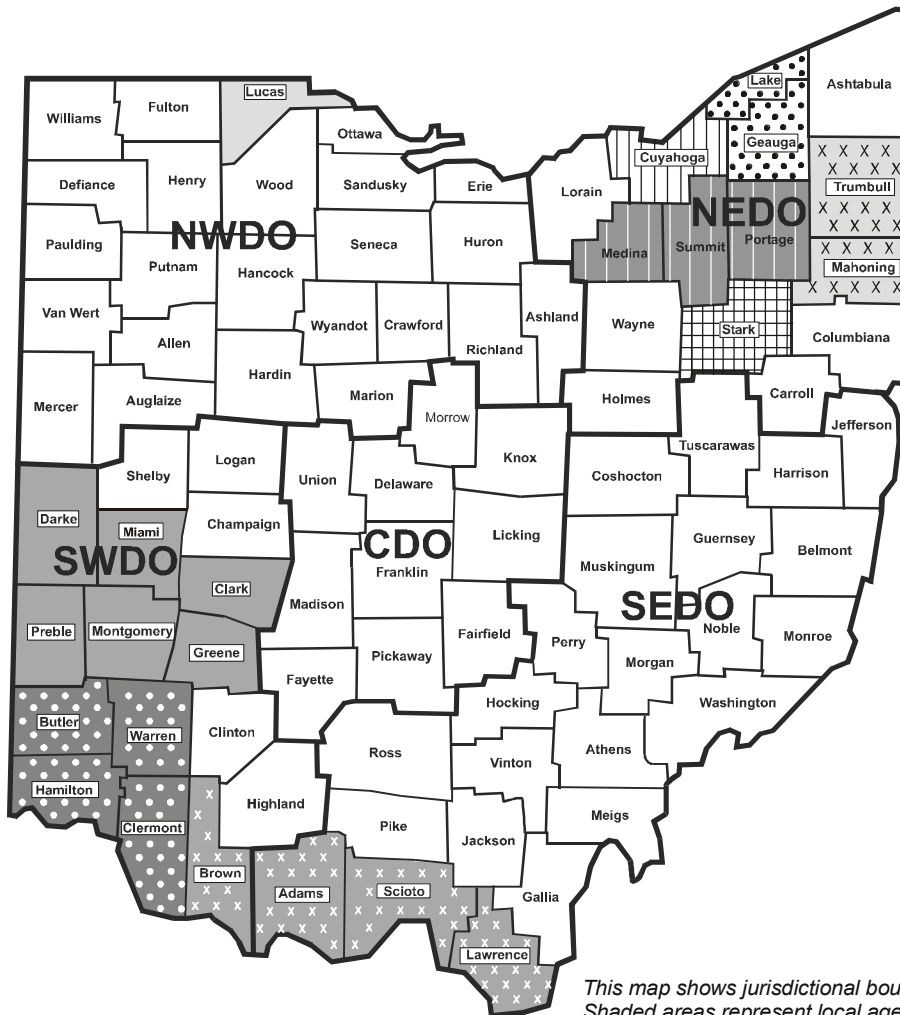
401 E. Fifth St.
Dayton, OH 45402
Phone (937) 285-6357
FAX (937) 285-6249
www.epa.ohio.gov/swdo/

Northwest District Office

347 N. Dunbridge Rd.
Bowling Green, OH 43402
Phone (419) 352-8461
FAX (419) 352-8468
www.epa.ohio.gov/nwdo/

Appendix C

Contacts - Ohio EPA District Offices and Local Air Pollution Control Agencies



This map shows jurisdictional boundaries. Shaded areas represent local agencies within Ohio EPA districts.



District Offices

- CDO Central District Office**
50 West Town St., Suite 700
Columbus, OH 43215
(614) 728-3778 FAX (614) 728-3898
- SEDO Southeast District Office**
2195 Front St.
Logan, OH 43138
(740) 385-8501 FAX (740) 385-6490
- NEDO Northeast District Office**
2110 E. Aurora Rd.
Twinsburg, OH 44087
(330) 963-1200 FAX (330) 487-0769
- NWDO Northwest District Office**
347 N. Dunbridge Rd.
Bowling Green, OH 43402
(419) 352-8461 FAX (419) 352-8468
- SWDO Southwest District Office**
401 E. Fifth St.
Dayton, OH 45402
(937) 285-6357 FAX (937) 285-6249

Local Air Pollution Control Agencies

- | | | |
|---|---|--|
|  Akron Regional Air Quality Management District
146 South High St, Room 904
Akron, Ohio 44308
(330) 375-2480 FAX (330) 375-2402 |  Cleveland Dept. of Public Health Division of Air Quality
75 Erieview Plaza, 2nd Floor
Cleveland, Ohio 44114
(216) 664-2297 FAX (216) 420-8047 |  Portsmouth Local Air Agency
605 Washington St., Third Floor
Portsmouth, Ohio 45662
(740) 353-5156 FAX (740) 353-3638 |
|  Air Pollution Control Division Canton City Health Dept.
420 Market Ave. North
Canton, Ohio 44702-1544
(330) 489-3385 FAX (330) 489-3335 |  Regional Air Pollution Control Agency Montgomery County Health Dept.
117 South Main St.
Dayton, Ohio 45422-1280
(937) 225-4435 FAX (937) 225-3486 |  City of Toledo Division of Environmental Services
348 South Erie Street
Toledo, Ohio 43604
(419) 936-3015 FAX (419) 936-3959 |
|  Dept. of Environmental Services Air Quality Programs
250 William Howard Taft Road
Cincinnati, Ohio 45219-2660
(513) 946-7777 FAX (513) 946-7778 |  Lake County General Health District Air Pollution Control *
33 Mill Street
Painesville, Ohio 44077
(440) 350-2543 FAX (440) 350-2548 |  Mahoning-Trumbull APC Agency *
345 Oak Hill Ave., Suite 200
Youngstown, Ohio 44502
(330) 743-3333 FAX (330) 744-1928 |

*Facilities located within these jurisdictions should file air permit applications with Ohio EPA's Northeast District Office (NEDO).

Appendix C

Contacts - Ohio EPA Central Office

Ohio EPA
50 W. Town St., Suite 700
Columbus, Ohio 43215
Phone (614) 644-3020
FAX (614) 644-3184

Director's Office

Phone (614) 644-2782
www.epa.ohio.gov/dir

Division of Air Pollution Control

Phone (614) 644-2270
FAX (614) 644-3681
www.epa.ohio.gov/dapc

Division of Surface Water

Phone (614) 644-2001
FAX (614) 644-2745
www.epa.ohio.gov/dsw

Division of Drinking and Ground Waters

Phone (614) 644-2752
FAX (614) 644-2909
www.epa.ohio.gov/ddagw

Division of Hazardous Waste Management

Phone (614) 644-2917
FAX (614) 728-1245
www.epa.ohio.gov/dhwm

Division of Solid and Infectious Waste Management

Phone (614) 644-2621
FAX (614) 728-5315
www.epa.ohio.gov/dsiwm

Division of Emergency and Remedial Response

Phone (614) 644-2924
FAX (614) 644-3146
www.epa.ohio.gov/derr

Division of Environmental Services

Phone (614) 644-4247
FAX (614) 644-4272
www.epa.ohio.gov/des

Office of Compliance Assistance and Pollution Prevention

Phone (800) 329-7518 or (614) 644-3469
FAX (614) 644-2807
www.epa.ohio.gov/ocapp

Contacts - Other Agencies

Bureau of Underground Storage Tanks (BUSTR) State Fire Marshal's Office

Phone (614) 752-7938 or (800) 686-2878
www.com.ohio.gov/fire/bustMain.aspx

Occupational Safety and Health Administration (OSHA)

General Information
Phone (800) 582-1708
OSHA On-site Consultation Program (Ohio Bureau of Workers' Compensation)
(800) 282-1425
www.ohiobwc.com/employer/programs/safety/SandHOSHAOnSite.asp

Ohio OSHA Area Offices

Cincinnati Area Office
36 Triangle Park Drive
Cincinnati, Ohio 45246
Phone (513) 841-4132
FAX (513) 841-4114

Cleveland Area Office
1240 E. 9th St., Room 899
Cleveland, Ohio 44199
Phone (216) 615-4266
FAX (216) 615-4234

Columbus Area Office
200 N. High St., Room 620
Columbus, Ohio 43215
Phone (614) 469-5582
FAX (614) 469-6791

Toledo Area Office
420 Madison Avenue, Suite 600
Toledo, Ohio 43604
Phone (419) 259-7542
FAX (419) 259-6355

Contacts - Other Agencies

Ohio Department of Agriculture Pesticides and Applicator Licensing

Phone (614) 728-6987 or (800) 282-1955
www.agri.ohio.gov/pesticides/

Ohio Department of Natural Resources

Well sealing
Phone (614) 265-6717
www.ohiodnr.com/water

Gas/oil wells
Phone (614) 265-6633
www.ohiodnr.com/mineral

Public Utilities Commission of Ohio

Transportation of Hazardous Materials (waste)
Phone (614) 466-0351
www.puco.ohio.gov

Ohio Department of Transportation

Phone (614) 466-7170
www.dot.state.oh.us

The Clean Air Resource Center

Phone (614) 728-3540
50 W. Broad St., Suite 1901
Columbus, Ohio 43215-5985
www.ohioairquality.org

The Clean Air Resource Center offers free and confidential assistance to small business owners in Ohio on compliance with Ohio's air pollution control regulations. The Center provides loans for small businesses to purchase and install necessary air pollution control equipment. The Clean Air Resource Center's services are available at no cost.

U.S. Army Corps of Engineers

Wetlands, Streams

Huntington District
General (304) 399-5211
Permits (304) 399-5210
www.lrh.usace.army.mil/

Buffalo District
General (716) 879-4104
Permits (716) 879-4299
www.lrb.usace.army.mil/

Louisville District
General (502) 315-6130
Permits (502) 315-6678
www.lrl.usace.army.mil/

Pittsburgh District
General (412) 395-7155
Permits (412) 395-7152
www.lrp.usace.army.mil/

Ohio EPA Web Sites

Division of Air Pollution Control www.epa.ohio.gov/dapc

The Clean Air Act requires U.S. EPA to set air standards to protect the public health and the environment. Ohio EPA's Division of Air Pollution Control (DAPC) has adopted rules that ensure those standards are met throughout Ohio. Goals of the division are to (1) attain and maintain Ambient Air Quality Standards (2) conform with the requirements of the Clean Air Act and Ohio Law and (3) protect public health.

To help in meeting these goals, DAPC staff in the districts conduct field inspections and review plans/permit applications to ensure compliance with the rules. In addition, there are several local air pollution control agencies throughout Ohio delegated certain responsibilities from Ohio EPA.

Division of Drinking and Ground Waters www.epa.ohio.gov/ddagw

The Safe Drinking Water Act helps to assure that Ohio's citizens have an adequate supply of safe drinking water. The Division of Drinking and Ground Waters regulates all public water supply systems (PWSs). The Drinking Water Section oversees more than 6,500 PWSs in Ohio, ranging from large community systems for major Ohio cities to smaller public water systems such as those in schools, businesses and campgrounds. The ground water section works to ensure the availability of uncontaminated water for public drinking water systems supplied by ground water resources. This section is responsible for Ohio EPA's Underground Injection Control (UIC) program which regulates the types and amounts of waste that can be injected into underground geologic formations. The section coordinates activities within Ohio EPA and with other state agencies on issues related to ground water.

Division of Emergency and Remedial Response www.epa.ohio.gov/derr

The Division of Emergency and Remedial Response (DERR) focuses on addressing petroleum and chemical hazards in Ohio. To this end, the division supports a variety of preparedness, prevention and cleanup activities. They include: radiation safety, spill prevention, site investigation, orphan drum removals, emergency response and the Voluntary Action Program.

Division of Solid and Infectious Waste Management www.epa.ohio.gov/dsiwm

This division is responsible for Ohio EPA's solid and infectious waste programs under the Resource Conservation and Recovery Act (RCRA). Municipal and industrial solid wastes, scrap tires, construction/demolition waste and infectious wastes are regulated under this division. The division's diverse activities relate to planning, legislative analyses, rule and policy making, technical/educational assistance, managing state disposal fees and project work.

Office of Environmental Education www.epa.ohio.gov/oe

The Office of Environmental Education works to enhance public awareness and understanding of issues affecting environmental quality. This office also administers the Ohio Environmental Education Fund, which awards more than \$1 million annually in grants to primary and secondary schools, universities, environmental advocacy groups, industry associations, non-profit groups and others for projects that increase awareness and understanding of environmental issues throughout Ohio.

Division of Hazardous Waste Management www.epa.ohio.gov/dhwm

DHWM implements Ohio's delegated hazardous waste management program under the Resource Conservation and Recovery Act of 1976 (RCRA). These laws and rules provide the authority to regulate facilities that generate, transport, treat, store, or dispose of hazardous waste. Major responsibilities of this division include:

- inspecting hazardous waste handlers for compliance with the regulations;
- reviewing permit applications for hazardous waste facilities;
- reviewing plans for the proper closure of hazardous waste facilities; and
- providing technical assistance to municipalities, industry and the public.

Appendix D

Division of Environmental and Financial Assistance

www.epa.ohio.gov/defa

This office provides financial and technical assistance for wastewater and public water system projects. The Ohio Water Pollution Control Loan Fund (WPCLF), Drinking Water Assistance Fund (DWAF) and Village Capital Improvements Fund (VCIF) are administered by this office. The WPCLF provides below-market interest rate loans to municipalities for wastewater treatment improvements and to public and private entities for nonpoint source pollution controls. The VCIF provides planning and design loans to villages for water supply and wastewater treatment projects. The DWAF provides below-market interest rate loans to eligible public water systems for improvements.

Division of Surface Water

www.epa.ohio.gov/dsw

The Division of Surface Water is responsible for restoring and maintaining the quality of Ohio's rivers and streams. This division has many technical, permitting, educational and enforcement responsibilities that include:

- reviewing permit applications for municipal, commercial and industrial dischargers;
- reviewing plans for wastewater treatment systems, sanitary sewers, sludge disposal and land application of wastes;
- reviewing permit applications for storm water related discharges;
- regulating and monitoring discharge activities to determine compliance;
- assisting in the development and implementation of plans to help clean up Ohio's rivers; and
- overseeing wetland related activities.

Office of Compliance Assistance and Pollution Prevention

www.epa.ohio.gov/ocapp

Compliance assistance resources include: a toll-free compliance hotline staffed by environmental specialists M-F (8:00-5:00); workshops on environmental compliance topics; on-site assistance to help small business owners complete permit applications. In addition, the office also helps businesses of all sizes to recognize pollution prevention (cost-saving) opportunities. The office has an extensive resource library containing easy-to-understand publications on a variety of compliance and pollution prevention topics.

Appendix E

Ohio EPA Permits/Web Links to Application Forms

Air Pollution Permits

www.epa.ohio.gov/dapc/permits/permits.aspx

- Permit-to-Install (PTI)
- Permit-to-Install and Operate (PTIO)
- General Permits (GP)
- Permit-by-Rule (PBR)

Surface Water Permits

- Permit-to-Install (PTI) and Plan Approvals

www.epa.ohio.gov/dsw/pti/index.aspx

- Pretreatment Program: Indirect Discharge

www.epa.ohio.gov/dsw/pretreatment/index.aspx

- National Pollutant Discharge Elimination System (NPDES)

www.epa.ohio.gov/dsw/permits/permits.aspx

- NPDES Permits for Storm Water

www.epa.ohio.gov/dsw/storm/index.aspx

- 401 Certification/Wetland Permits

www.epa.ohio.gov/dsw/401/index.aspx

Drinking Water System Plan Approval

www.epa.ohio.gov/ddagw/pws.aspx

Hazardous Waste Facility Installation and Operation Permits

(for treatment, storage, disposal activities)

www.epa.ohio.gov/dhwm

(under “Forms & Publications”)

Underground Injection Well Permits

www.epa.ohio.gov/ddagw/uic.aspx

Solid and Infectious Waste Permitting and Registration

www.epa.ohio.gov/dsiwm/pages/documents.aspx

- Municipal Solid Waste Landfill (permit)
- Industrial Solid Waste Landfill (permit)
- Residual Solid Waste Landfill (permit)
- Solid Waste Compost Facility (Class I - permit; Class II-IV - registration)
- Solid Waste Transfer Facility (permit)
- Solid Waste Incinerator Facility (permit)
- Infectious Waste Treatment Facility (permit)
- Infectious Waste Generator and Transporter Registration
- Scrap Tire Monofill, Storage, Recovery and Collection Facility (permit or registration)
- Scrap Tire Transporter (registration)
- Scrap Tire Beneficial Use (approval)
- Construction and Demolition Debris Facility (license)
- Composting Operations (permit, registration, license)

Appendix F

Environmental Permits That May Apply to Your Business

Note: This information *should be used only as a general guideline*. Each facility can vary in its permitting needs. A ● means that a permit is *often* required.

Business/ Activity	Air	Wastewater discharge/treatment and/or on-site septic systems	Storm Water	Solid/ Infectious Waste	Wetlands	Public Drinking Water System (Well)	Hazardous Waste (permit or ID number)
Asbestos Abatement	●			●		●	
Asphalt Plants	●	●	●		●	●	
Auto Repair/ Body Shops	●	●				●	●
Auto Salvage Yards	●	●	●			●	●
Battery Recycling		●	●			●	●
Car Washes		●				●	
Chemical Manufacturing	●	●	●			●	●
Composting			●	●		●	
Concrete Plants	●	●	●		●	●	
Construction Sites	●	●	●	●	●	●	
Crematoriums	●	●				●	
Demolition	●		●	●	●	●	
Dry Cleaners	●	●				●	●
Education/ Vocational Shops	●	●					●
Equipment Repair	●	●					●
Electronic Mfg.	●	●				●	●
Fabricated Metal Products	●	●	●			●	●
Feedlots	●	●	●		●	●	
Food Processing	●	●	●			●	
Foundry	●	●	●	●	●	●	●
Furniture Mfg./Repair	●	●					●

Appendix F

Business/ Activity	Air	Wastewater discharge/treatment and/or on-site septic systems	Storm Water	Solid/ Infectious Waste	Wetlands	Public Drinking Water System (Well)	Hazardous Waste (permit or ID number)
Gas Stations	●	●				●	
Golf Courses		●	●		●	●	
Grain Elevators	●	●				●	
Incinerators	●	●		●		●	●
Laboratories	●	●		●		●	●
Waste Haulers				●			●
Manufacturing	●	●	●	●		●	●
Medical Office/ Vet Clinic	●	●		●		●	●
Metal Plating/ Finishing	●	●				●	●
Mining	●	●	●	●	●	●	
Painting Operation	●	●				●	●
Paper Mill	●	●	●	●	●	●	●
Petroleum Storage	●		●			●	
Primary Smelting	●	●		●		●	●
Printing	●	●				●	●
Restaurant		●				●	
Sand & Gravel	●	●	●		●	●	
Scrap Tire Handling			●	●	●	●	
Stream Relocation					●		
Wood Products Mfg/ Refinishing	●	●	●		●	●	●

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Please feel free to contact OCAPP with your
comments and suggestions on this guide.

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