

3745-513-20 Issuance, denial, termination, and revocation of an authorization to engage in chapter 513 activities.

(A) Chapter 513 activities may be initiated only as follows:

- (1) For a modern facility, upon authorization from the director.
- (2) For a historic facility, thirty-one days after submitting an application to the director pursuant to rule 3745-513-300 of the Administrative Code unless the applicant is notified otherwise.
- (3) For sites where sampling, testing, or delineating the limits of waste placement of material is proposed, fifteen days after submitting an application to the director pursuant to rule 3745-513-400 of the Administrative Code unless the applicant is notified otherwise.

(B) Issuance.

- (1) The director shall not approve an application to engage in chapter 513 activities unless the director determines that the proposed activities will not result in violation of applicable laws and regulations administered by the director, will not create a nuisance, and will not adversely affect the public health or safety or the environment.
- (2) An application, notwithstanding any deficiency, may be considered and acted upon if sufficient information is contained in the plans, specifications, and information for the director to determine whether the criteria set forth in this rule are satisfied.
- (3) The director may request additional information or condition an authorization to include terms and conditions necessary to ensure protection of human health, safety, and the environment.
- (4) The director may deem it necessary to incorporate any of the systems, designs, or components identified in rule 3745-513-300 of the Administrative Code into the application to ensure compliance with all applicable laws and regulations, to guard against the creation of a nuisance, and to ensure the chapter 513 activities are unlikely to adversely affect the public health or safety or the environment.

(C) Denial. The director may deny an authorization if the director determines that any applicable rules or laws have been or are likely to be violated or that issuance of the authorization may pose a threat to public health or safety or the environment.

(D) Termination. Unless otherwise specified in the authorization, an authorization issued pursuant to this chapter shall terminate if the person to whom the authorization was granted has not initiated the activities described therein. An authorization shall terminate in accordance with the following:

- (1) For an authorization issued in accordance with rule 3745-513-300 of the Administrative Code, three years after the issuance date of the authorization.
- (2) For an authorization issued in accordance with rule 3745-513-400 of the Administrative Code, eighteen months after the submission date for the authorization.

(E) Revocation. The director may revoke an authorization if the director concludes that any applicable laws have been or are likely to be violated or if the director determines that continued implementation of the authorization may pose a threat to public health or safety or the environment.

- (F) When issuing, denying, or revoking an authorization to engage in chapter 513 activities on land where a hazardous waste facility or solid waste facility was operated, the director shall act in accordance with Chapters 119., 3734., and 3745. of the Revised Code and Chapter 3745-49 of the Administrative Code.

Replaces: 3745-27-13
Effective: 1/1/2020
Five Year Review (FYR) Dates: 01/01/2025

CERTIFIED ELECTRONICALLY

Certification

12/11/2019

Date

Promulgated Under: 119.03
Statutory Authority: 3734.02
Rule Amplifies: 3734.01, 3734.02
Prior Effective Dates: 11/17/1988 (Emer.), 03/09/1989 (Emer.), 06/12/1989,
08/15/2003