

3745-400-03**Facility and processing facility exclusions.**

This chapter is not applicable to the following:

(A) Construction debris, trees, or brush removed in clearing a construction site and used as fill material on the site where the materials are generated or removed.

(B) Clean hard fill used either alone or in conjunction with clean soil, sand, gravel, or other clean aggregates in legitimate fill operations.

[Comment: Rule 3745-400-05 of the Administrative Code requires a notice of intent to fill when clean hard fill is placed off the site of generation.]

(C) Any processing facility that consists solely of containers that have an aggregate volume of fifty cubic yards or less, as long as the construction and demolition debris is not placed on a working surface or on any equipment used to separate construction and demolition debris into individual types of materials.

(D) The transporting of portable containers of construction and demolition debris from a location to a construction and demolition debris facility or processing facility if the storage of the construction and demolition debris does not exceed seven days and the construction and demolition debris remains containerized.

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