

3745-400-60**Final closure of a processing facility.**

(A) The owner or operator of a processing facility shall conduct final closure when any of the following occur:

- (1) The owner or operator of a processing facility declares to the licensing authority in writing that the processing facility will cease accepting construction and demolition debris.
- (2) The permit to install issued for the processing facility expires, and no further permit to install was applied for in the manner prescribed in rule 3745-400-50 of the Administrative Code.
- (3) The license issued for the processing facility expires, and no further license was applied for in the manner prescribed in Chapter 3745-501 of the Administrative Code.
- (4) Either the permit to install or the license issued for the processing facility expires, and another permit to install or license was applied for and denied as a final action.
- (5) Either the permit to install or license issued for the processing facility is revoked as a final action.
- (6) The owner or operator of a processing facility is obligated to conduct final closure by order of the director, approved board of health, Ohio environmental review appeals commission, or a court of competent jurisdiction.
- (7) For a processing facility in operation prior to the effective date of this rule, a permit to install was not applied for in the timeframe specified in rule 3745-400-50 of the Administrative Code.

(B) The owner or operator of a processing facility shall complete final closure of the processing facility as follows:

- (1) If final closure is triggered in accordance with paragraphs (A)(1) to (A)(3) of this rule, provide notice by certified mail or any other form of mail accompanied by a receipt of the anticipated date on which the processing facility will cease to accept construction and demolition debris to the approved board of health having jurisdiction and to the director. The notice shall be provided not later than ninety days prior to the anticipated date on which the processing facility will cease to accept construction and demolition debris.
- (2) Not later than seven days after construction and demolition debris acceptance has ceased, post signs in such a manner as to be easily visible at all access

points leading into the processing facility stating that the processing facility is closed for all construction and demolition debris acceptance. These signs shall be maintained in legible condition for not less than one hundred eighty days after final closure of the processing facility has been deemed complete in accordance with paragraph (C) of this rule.

(3) Not later than ninety days after the date final closure is triggered, clean all debris handling equipment, working surfaces, and areas within the processing facility boundary including but not limited to the following:

(a) Removing all construction and demolition debris and prohibited materials from the processing facility and lawfully managing the construction and demolition debris and prohibited materials.

(b) Washing, or employing other procedures that reduce or eliminate contaminants that were derived from contact with construction and demolition debris, all areas within the processing facility boundary and appurtenances including but not limited to containers, equipment, machines, floors, and working surfaces.

(4) Not later than thirty days after all construction and demolition debris has been removed from the processing facility, dismantle surface water drainage and sediment control structures associated with the processing facility.

(C) Not later than ten days after completing final closure of a processing facility, the owner or operator of a processing facility shall submit to the licensing authority a written closure certification report, signed and certified in accordance with rule 3745-500-50 of the Administrative Code, verifying that the requirements in paragraphs (B)(1) to (B)(4) of this rule have been satisfied. Final closure of the processing facility shall be deemed complete upon the licensing authority's written concurrence with the closure certification report.

Effective:

Five Year Review (FYR) Dates:

Certification

Date

Promulgated Under: 119.03
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Rule Amplifies: 3714.022, 3714.051, 3714.06, 3714.09