

**BEFORE THE  
OHIO ENVIRONMENTAL PROTECTION AGENCY**

**Public Notice  
Proposed Rulemaking Governing  
Industrial Waste and Residual Waste Landfill Rules**

Notice is hereby given that the Director of Environmental Protection, under the authority of Sections 3734.02 and 3734.12 of the Ohio Revised Code and in accordance with Chapter 119, proposes to original file the following rule of the Ohio Administrative Code:

<b>Rule Number</b>	<b>Rule Title</b>	<b>Action</b>
3745-27-15	Financial Assurance for Solid Waste Facility or Scrap Tire Transporter Closure	Amend
3745-27-16	Financial Assurance for Sanitary Landfill Facility Post Closure Care	Amend
3745-29-01	Definitions	Rescind
3745-29-02	Applicability	Rescind
3745-29-06	Industrial Solid Waste Landfill Permit-to-Install Application	Rescind
3745-29-07	Criteria for Approval of Industrial Solid Waste Landfill Facility Permit-to-Install Application	Rescind
3745-29-08	Industrial Solid Waste Landfill Facility Construction	Rescind
3745-29-10	Ground Water Monitoring Program for an Industrial Solid Waste Landfill Facility	Rescind
3745-29-11	Final Closure of an Industrial Solid Waste Landfill Facility	Rescind
3745-29-14	Post Closure Care of Industrial Solid Waste Landfill Facilities	Rescind
3745-29-19	Operational Criteria for an Industrial Solid Waste Landfill Facility	Rescind
3745-30-01	Definitions	Amend
3745-30-02	Applicability	Rescind
3745-30-02	Applicability	New
3745-30-03	Waste Characterization for Disposal in a Residual Landfill Facility	Amend
3745-30-04	Residual Waste Landfill Classification	Rescind
3745-30-05	Industrial Landfill or Residual Landfill Facility Permit-to-Install Application	Amend
3745-30-06	Criteria for Approval of an Industrial or Residual Landfill Facility Permit-to-Install Application	Amend
3745-30-07	Industrial Landfill or Residual Landfill Facility Construction	Rescind
3745-30-07	Industrial Landfill or Residual Landfill Facility Construction	New
3745-30-08	Ground Water Monitoring Program	Amend
3745-30-09	Final Closure of an Industrial Landfill or Residual Landfill Facility	Amend

3745-30-10	Post-closure Care of an Industrial Landfill or Residual Landfill Facility	Amend
3745-30-14	Operation of an Industrial Landfill or Residual Landfill Facility	Amend
3745-30-15	Variances	Rescind
3745-30-15	Variances	New

The purpose of this rule making is to fulfill the requirements of Ohio Revised Code section 106.03, which require Ohio EPA to determine whether to continue the rules without change, amend the rules, or rescind the rules. The Agency has reviewed the current effective rules and has made the preliminary determination to merge the Industrial Waste Program and Residual Waste Program. The existing residual waste program establishes four landfill classifications based on the concentration of contaminants leaching from the waste. The classification impacts liner design, the post-closure care period, and one siting criterion. Since the rules were promulgated in 1992, Ohio EPA has permitted one Class II and no Class IV residual waste landfills. The merged program is proposing to reduce the landfill classifications to two.

The public comment period will run until December 9, 2020. A public hearing on this proposed rule making will be held to consider public comments in accordance with Section 119.03 of the Ohio Revised Code.

Ohio EPA will be holding a virtual public hearing on the rules on December 9, 2020 at 10:30 a.m. The meeting will be held exclusively online. During the virtual hearing the public can submit written comments that will be read into the record by the hearing host.

The virtual hearing may be accessed through Ohio EPA's website at: <http://epa.ohio.gov/virtual>

Written comments may be submitted during the virtual public hearing. In addition, written testimony can be emailed to the attention of Michelle Mountjoy at the Division of Materials and Waste Management at [michelle.mountjoy@epa.ohio.gov](mailto:michelle.mountjoy@epa.ohio.gov). All comments received at the virtual hearing or via email by close of business on December 9, 2020, will be considered by Ohio EPA prior to final action on this rulemaking proposal. Written comments submitted after this date may be considered as time and circumstances permit.

Questions regarding this rule package should be directed to Michelle Mountjoy, at the Division of Materials and Waste Management, at (614) 728-5372.

At this time, the proposed rules are only accessible on DMWM's web page at <https://epa.ohio.gov/dmwm/dmwmnonhazrules>.

Please note: Comments for this hearing will only be accepted electronically as Ohio EPA is unable to access physical mail at this time.