



Interested Party Period: Rescission of Rules to Authorize Bulk Liquid Addition at MSW Landfills to Stabilize Waste

What do these rules cover?

The following ten rules in Ohio Administrative Code (OAC) Chapter 3745-27 address the requirements and the procedure to obtain authorization to add bulk liquids to a municipal solid waste landfill for the purpose of studying waste stabilization. These rules were adopted to implement the federal research, development, and demonstration (RD&D) program for Subtitle D landfills, specifically the part of the program pertaining to the liquids restrictions. Ohio EPA adopted these rules in 2011.

The Division of Materials and Waste Management (DMWM) is including the following rules in this review package:

Rule	Title
3745-27-80	Applicability and definitions for authorizations to stabilize waste through bulk liquid addition.
3745-27-81	Application for a permit to stabilize waste through bulk liquid addition.
3745-27-82	Issuing and denying a permit-to-install; extending and reauthorizing an authorization to stabilize waste through bulk liquid addition.
3745-27-83	Gas management system operation.
3745-27-84	Monitoring, notification, and annual reporting requirements.
3745-27-85	Extending or establishing a new termination date of an authorization to stabilize waste through bulk liquid addition.
3745-27-86	Terminating and suspending the authorization to stabilize waste through bulk liquid addition by the owner or operator.
3745-27-87	Terminating and suspending the authorization to stabilize waste through bulk liquid addition by the director; corrective measures.
3745-27-88	Monitoring, reporting, and financial assurance requirements after termination of an authorization to stabilize waste through bulk liquid addition.
3745-27-89	Gas management system design.

Why are these rules being rescinded?

Ohio EPA is required by section 106.03 of the Ohio Revised Code to review the Agency's rules every 5 years to determine whether or not to continue the rules without change, amend the rules, or rescind the rules. The Agency has reviewed the current effective rules and is proposing to file a determination with JCARR to rescind these rules. Ohio EPA feels that these rules are no longer necessary because no such authorization has been requested since the rules were adopted and because U.S. EPA has determined enough data has been collected and is in the process of preparing rule amendments.

What additional information is the Agency seeking?

The Agency is seeking comments from interested stakeholders (public, local officials, industry sectors, other state agencies, consultants, and environmental organizations) who may be impacted by rescission of these rules. General comments and specific factual information are welcome.

In addition, Ohio EPA is also seeking comments and feedback on the draft Common Sense Initiative (CSI) Business Impact Analysis (BIA) form, which is being released during interested party review.

How are the amendments formatted in the draft rules?

The rules are proposed to be rescinded; the text appears as it is currently effective and at the top says, "to be rescinded".

Industrial Solid Waste and Residual Solid Waste Rules

What is the rulemaking schedule?

At this time, the Agency is soliciting input on rescinding these rules. Ohio EPA is required by section 121.39(D) of the Revised Code to contact potentially affected parties prior to adopting rule changes. At the close of the interested party comment period, the Agency will review the comments and make necessary changes to the rules. The Agency will then file the rule package with the Joint Committee on Agency Rule Review, the Legislative Service Commission and the Secretary of State.

How can I comment on the rules?

Please submit your comments in one of the following ways:

- By email: michelle.mountjoy@epa.ohio.gov
- By postal mail:

Michelle Mountjoy - Rules Coordinator
Ohio EPA, Division of Materials and Waste Management
P.O. Box 1049
Columbus, OH 43216-1049

Comments on the rules must be received no later than 5:00 p.m. on Monday, November 2, 2020.

How can I get more information?

Copies of this fact sheet, BIA form and the draft rules are on the Division of Materials and Waste Management website at: <https://epa.ohio.gov/dmwm/dmwmnonhazrules#126793967-interested-party>

For more information about these draft rules, please contact:

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