



**Re: Interested Party Review – Dredge Rules**

Dear Interested Parties:

The Division of Materials and Waste Management, DMWM, has conducted an evaluation of Ohio Revised Code (ORC) sections 6111.33 and 6111.34. This evaluation was conducted in response to the passage of Senate Bill 2 by the 132nd Ohio General Assembly on June 21, 2017. The bill became law on October 6, 2017. These newly enacted sections of the ORC give the director of Ohio EPA the authority to promulgate rules determining the criteria by which dredge from certain federal navigation channels and connected commercial maritime port facilities is neither a solid waste nor an other waste. DMWM has amended Ohio Administrative Code (OAC) Chapter 3745-599 to incorporate the provisions of ORC 6111.33 and 6111.34 into the existing beneficial use program. The following rules in OAC 3745-599 are being amended:

<b><u>Rule #</u></b>	<b><u>Title:</u></b>
3745-599-01	Beneficial use and harbor sediment authorization – applicability.
3745-599-02	Beneficial use and harbor sediment authorization – definitions.
3745-599-03	Beneficial use and harbor sediment authorization – incorporation by reference.
3745-599-05	Beneficial use and harbor sediment authorization – exclusions.
3745-599-20	Beneficial use and harbor sediment authorization – prohibitions.

The following rules are new and being proposed for adoption:

<b><u>Rule #</u></b>	<b><u>Title:</u></b>
3745-599-400	Harbor sediment authorization.
3745-599-410	Criteria for issuance of a harbor sediment authorization.

DMWM welcomes interested party comments on these draft rules.

**Where can I get a copy of the draft rules?**

You may view the draft rules at <http://www.epa.ohio.gov/dmwm/dmwmnonhazrules.aspx>, or call (614) 644-2621 to obtain a copy. As part of the rulemaking process, Ohio EPA is required to prepare and submit a Business Impact Analysis (BIA) form to Ohio's Common Sense Initiative (CSI) Office. Ohio EPA is also making this form available at this time for public review and comment.

**When are my comments due?**

Please submit your comments by August 27, 2018.

**Where should I send my comments?**

Please send your comments to:

Michelle Mountjoy  
Ohio EPA, DMWM  
PO Box 1049  
Columbus, OH 43216-1049

You may also send your comments by fax at (614) 728-5315 or e-mail [michelle.mountjoy@epa.ohio.gov](mailto:michelle.mountjoy@epa.ohio.gov)

**Who can I talk to about the rules?**

For questions regarding the rule language or review schedule, you may contact Maera Flynn at (614) 728-5338 or Michelle Mountjoy at (614) 728-5372. Please include a phone number where you can be contacted during the hours of 8:00 am to 5:00 pm.

**What should I consider as I prepare my comments?**

You may find the following suggestions helpful for preparing your comments:

1. Explain your views as clearly as possible.
2. Describe any assumptions that you used.
3. Provide any technical information and/or data you used that support your views.
4. Estimate potential burden or costs and explain how you arrived at your estimate.
5. Provide specific examples to illustrate your concerns.
6. Offer alternatives.
7. Make sure to submit your comments by the comment period deadline.

Thank you for your interest and we look forward to hearing from you.

Sincerely,

Vlad Cica, Chief, DMWM  
Division of Materials and Waste Management