

**BEFORE THE  
OHIO ENVIRONMENTAL PROTECTION AGENCY**

**Public Notice  
Proposed Rulemaking Governing  
Beneficial Use Rules**

Notice is hereby given that the Director of Environmental Protection, under the authority of Sections 106.03 of the Ohio Revised Code and in accordance with Chapter 119, proposes to original file the following rules of the Ohio Administrative Code:

<b>Rule Number</b>	<b>Rule Title</b>	<b>Action</b>
3745-599-01	Beneficial use – applicability.	New
3745-599-02	Beneficial use – definitions.	New
3745-599-03	Beneficial use – incorporation by reference.	New
3745-599-05	Beneficial use – general exclusions.	New
3745-599-10	Beneficial use byproduct incorporated into certain construction materials or used as a fuel or as an ingredient in a combustion unit.	New
3745-599-20	Beneficial use – prohibitions.	New
3745-599-25	Beneficial use – signatures.	New
3745-599-30	Beneficial use - relationships among authorizing documents, rules, and the authority of the director and board of health.	New
3745-599-35	Beneficial use – legitimacy criteria.	New
3745-599-60	Approved sampling and characterization procedures for the beneficial use of a beneficial use byproduct.	New
3745-599-200	General beneficial use permit.	New
3745-599-210	Notice of intent to obtain coverage under a general beneficial use permit.	New
3745-599-220	Coverage under a general beneficial use permit.	New
3745-599-310	Application for an individual beneficial use permit.	New
3745-599-320	Issuance of an individual beneficial use permit.	New

3745-599-330	Notice and information for distribution - individual beneficial use permit.	New
3745-599-334	Generator obligations for record keeping and reporting – individual beneficial use permits.	New
3745-599-335	Distributor obligations for record keeping and reporting – individual beneficial use permits.	New
3745-599-340	Initial beneficial use byproduct characterization demonstration for individual beneficial use permits.	New
3745-599-345	Compliance demonstration for individual beneficial use permits.	New
3745-599-350	Changes to the beneficial use byproduct and the individual beneficial use permit.	New
3745-599-360	Renewal of an individual beneficial use permit.	New
3745-599-370	Denial and revocation of an individual beneficial use permit.	New

These rules address beneficial use regulations.

The purpose of this rulemaking is to promulgate rules and establish a regulatory program pertaining to the beneficial use of solid wastes, industrial wastes, and other wastes regulated pursuant to Ohio Revised Code Chapters 3734 and 6111.

The public comment period will run until August 29, 2016. 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. This hearing will be held on August 29, 2016 at 10:30 a.m. at Ohio EPA, Lazarus Government Center, 50 W. Town Street, Suite 700, Columbus, Ohio.

To facilitate the scheduling of oral presentations, persons intending to give testimony at the hearing should notify the Ohio EPA Public Interest Center, P.O. Box 1049, Columbus, Ohio 43216-1049, (614) 644-2160. Prior registration will ensure that registrants are heard ahead of those individuals who register at the hearing. Oral testimony may be limited to five minutes, depending on the number of persons testifying. All interested persons are entitled to attend or be represented and to present oral and/or written comments concerning the proposed rule making.

Written testimony should be sent to the attention of Michelle Mountjoy at the Division of Materials and Waste Management P.O. Box 1049, Columbus Ohio 43216-1049. Written comments may also be submitted to the Hearing Officer at the public hearing. Written testimony will receive the same consideration as oral testimony. All testimony received at the hearing or by close of business on August 29, 2016 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 (DMWM) at (614) 728-5372.

To receive a copy of the proposed rules, please contact the DMWM receptionist at (614) 644-2621. In addition, full copies of all proposed rules are available for review at any Ohio EPA district office and at the Ohio EPA central office. The proposed rules are also accessible on DMWM web page at <http://epa.ohio.gov/dmwm/dmwmnonhazrules.aspx>.