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Construction & Demolition Debris Facility Definitions

What is a construction and demolition debris (C&DD) facility?

A construction and demolition debris facility is any site, location, tract of land, installation, or building used for the disposal of construction and demolition debris.

The entire facility, not merely the limits of C&DD placement, must be located in areas not prohibited by law.

What areas comprise a C&DD facility?

The C&DD facility boundary is designated by the owner or operator in the facility design plan of the license application. Factors to consider when setting the facility boundaries include:

1. Areas restricted by law;
2. Property lines (the owner or operator should own or lease the facility property);
3. Setbacks from waterways, including rivers, streams, drainage ways, etc.;
4. Setbacks from public and private water supply wells;
5. Boundaries for the "active licensed disposal area;"
6. Boundaries for the "inactive licensed disposal areas;" and

7. Soil borrow areas.

Soil borrow areas do not have to be designated as part of the "facility," however, any such area outside the facility boundary that is either over five feet deep or over one acre will require a permit and reclamation bond from the Ohio Department of Natural Resources Division of Reclamation. Soil borrow areas within the facility boundaries are regulated by Ohio EPA Division of Surface Water and may require a permit, but no bond.

Besides the limits of debris placement, the facility boundary should also include any required features such as the unloading zone, leachate collection appurtenances, and ground water monitoring wells.

Any site where construction debris, trees and brush removed in clearing the construction site are used as fill material on that site is not considered a C&DD facility. See fact sheet #0549 "On-site Disposal Option for Construction Debris" for more information.

Does a site disposing solely of clean hard fill have to be licensed as a C&DD facility?

Any site where clean hard fill is used in legitimate fill operations for construction purposes or to bring a site to grade does not have to become

licensed as a C&DD facility. If such a site accepts clean hard fill generated from another location, a seven-day notice-to-fill must be submitted to the local health department or Ohio EPA District Office. See DSIWM fact sheet #0563 Clean Hard Fill for more information.

Clean hard fill can also be stored for a period of less than two years without being designated as a facility.

What is an existing facility?

An existing facility is a C&DD facility that was in operation or under construction on September 30, 1996 (the first effective date of the C&DD rules).

Existing facilities do not have to add liners or leachate collection systems in filled areas.

C&DD facility location restrictions

For facilities not in operation or under construction on June 24, 1990, no portions of a construction and demolition debris facility may be located:

- Within the boundaries of the 100-year flood plain of a watercourse, or
- Within the boundaries of a sole source aquifer designated by the administrator of the United

States Environmental Protection Agency under the "Safe Drinking Water Act."

These restrictions do not apply to facilities in operation or under construction on June 24, 1990, or to the expansion of such facilities onto contiguous land owned by the facility owner or operator on the date which the initial license application for that facility was submitted to the licensing authority.

What is the active licensed disposal area (ALDA)?

The active licensed disposal area includes all areas designated in a license application for debris placement during the effective period of the license. The rules require that financial assurance for closure be established for these areas upon application for a license.

The active licensed disposal area also includes all areas where debris has been placed since September 30, 1996, and where a cap with dense vegetative cover has not been established and certified.

All active licensed disposal areas must be within the facility boundaries, as designated by the owner or operator.

What is an inactive licensed disposal area (ILDA)?

Inactive licensed disposal areas are all remaining areas within the limits of C&DD placement which are not designated for debris placement during the licensure period, and include but are not limited to all areas in which no construction and

demolition debris has been placed.

The inactive licensed disposal area also includes all area within the limits of C&DD placement in which debris has been placed since September 30, 1996 (the effective date of this rule), and which have been capped, dense vegetative cover

established, and certification of the completion of these activities submitted to the licensing authority. All areas within the limits of C&DD placement in which debris has been placed prior to September 30, 1996, and no more debris is placed in the areas after this date, are considered inactive licensed disposal areas as

well. If the owner or operator desires to place C&DD in these areas, they would have to be designated as ALDAs in the license application.

Figures 1 through 3 illustrate the relationship between the ALDAs and the ILDAs.

Figure 1

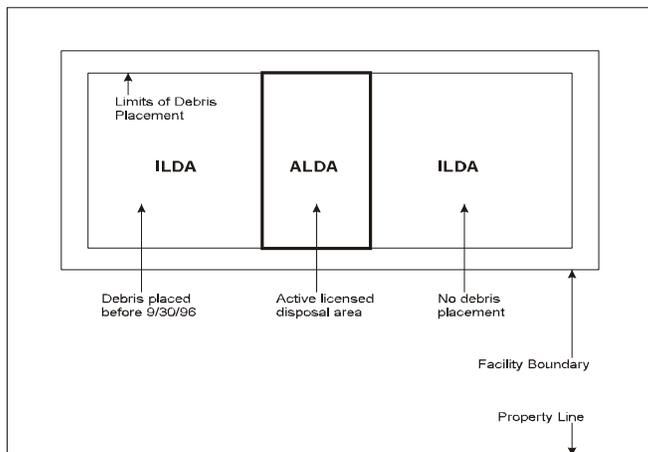


Figure 2

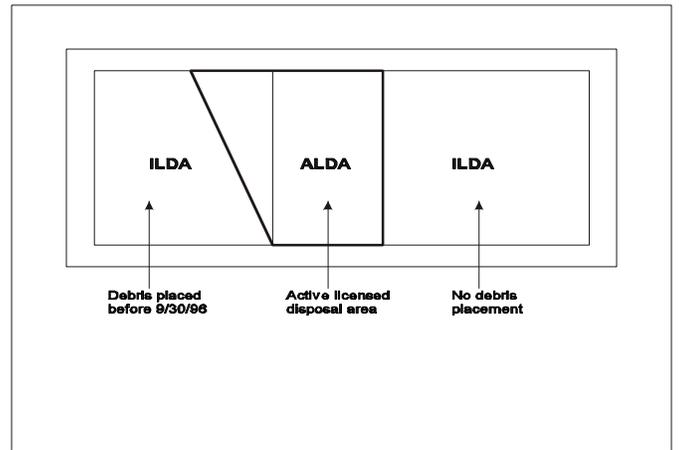


Figure 3

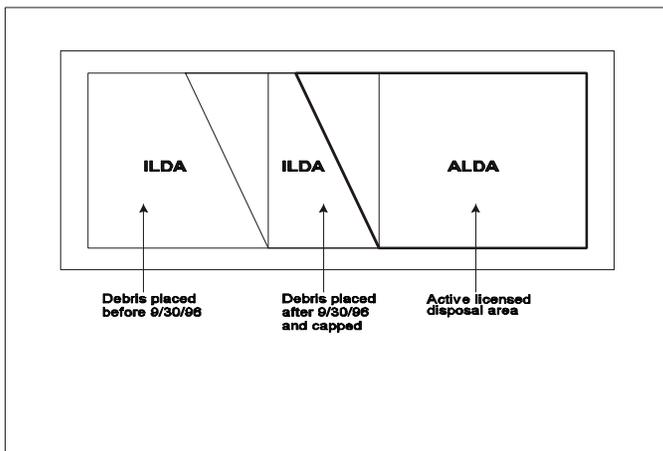


Figure 1 shows three separate areas: an inactive licensed disposal area (ILDA where debris was placed prior to September 30, 1996 but not after, an active licensed disposal area (ALDA), and an inactive licensed disposal area where no debris has been placed.

Figure 2 shows that an area where debris was placed prior to September 30, 1996 will now be receiving more debris, thus becoming part of the ALDA.

Figure 3 shows that a portion of the ALDA was capped, now becoming an ILDA. The ALDA has also extended into the area where no debris has been placed.