

3745-550-350

Permit to install issuance.

(A) Notwithstanding any deficiency, an application for a permit to install may be considered and acted upon if sufficient information is contained in the detail engineering plans, specifications, and reports for the director to determine whether the criteria set forth in this rule are satisfied.

(B) When acting on a permit to install, the director shall follow the appropriate procedures set forth in rule 3745-500-120 of the Administrative Code, Chapter 3745-49 of the Administrative Code, and section 3734.09 of the Revised Code. The director shall not approve any permit to install application for a facility unless the director determines the following:

(1) The owner or operator is capable of operating the facility in compliance with Chapters 3704., 3734., 3745., and 6111. of the Revised Code.

(2) The owner or operator is capable of constructing, operating, and closing the facility in accordance with the terms and conditions of the permit and this chapter.

(3) The facility is not located or proposed to be located in a floodway.

(4) The facility is not located or proposed to be located within two hundred feet of any surface waters of the state.

(5) The owner or operator has demonstrated substantial compliance in accordance with Chapter 3745-501 of the Administrative Code at facilities they own or operate and facilities they previously owned or operated.

(6) The applicant meets the requirements of sections 3734.40 to 3734.47 of the Revised Code and the rules adopted thereunder.

(7) The applicant has executed a financial assurance instrument for closure of the facility that meets the criteria established in Chapter 3745-503 of the Administrative Code.

(8) The facility is not located or proposed to be located within the boundaries of a park in existence on the date Ohio EPA receives the permit to install application, unless the facility is located or proposed to be located within a park and exclusively manages wastes generated within the park.

(9) The facility is not located or proposed to be located within two hundred fifty feet of the following, in existence on the date Ohio EPA receives the permit to install application:

(a) Areas designated by the Ohio department of natural resources as either a state nature preserve, a state wildlife area, or a state scenic river.

- (b) Areas designated, owned, or managed by the Ohio historical connection as a nature preserve.
- (c) Areas designated by the United States department of the interior as either a national wildlife refuge or a national scenic river.
- (d) Areas designated by the United States forest service as either a special interest area or a research natural area in the Wayne national forest.
- (e) Surface waters of the state designated by Ohio EPA as either a state resource water, a coldwater habitat, or an exceptional warmwater habitat in accordance with Chapter 3745-1 of the Administrative Code.
- (10) The waste handling areas of the facility are not located or proposed to be located within two hundred fifty feet of a domicile in existence on the date Ohio EPA received the permit to install application.
- (11) All waste handling at the facility will take place inside buildings or structures, or under other methods of cover deemed acceptable by the director.
- (12) The waste handling floor of the facility conforms to the following:

 - (a) Prevents the infiltration of leachate and is constructed to prevent any unauthorized discharge of leachate from the facility.
 - (b) Readily allows wet or dry cleanup operations.
 - (c) Is sloped to direct leachate to collection points of the leachate management system and will not allow ponding of liquids.
 - (d) Is designed to withstand the forces and weights encountered during normal facility operations.
 - (e) Is accessible to annual visual inspection for cracks and breaks.
 - (f) Is constructed with materials and methods that enable repairs to be made.

- (13) The leachate control measures are adequate for collection, management, treatment, and disposal of the leachate generated at the facility.
- (14) If leachate conveyance and storage structures are used, they are designed in accordance with the following:

 - (a) Such that they are capable of being monitored as specified by the director.
 - (b) For storage tanks, with spill containment.

(c) For storage structures, with a capacity sufficient to ensure proper operation of the facility.

(15) For an application for a new facility proposing to have a notation on the license authorizing infectious waste treatment, the siting criteria contained in division (B)(2)(b) of section 3734.021 of the Revised Code have been satisfied.

(C) The permit to install shall remain in effect until the director has received, and concurred with in writing, certification that all required final closure activities have been completed, unless the permit has been revoked in accordance with rule 3745-500-350 of the Administrative Code or terminated in accordance with rule 3745-500-330 of the Administrative Code. The director shall send one copy of the permit to install and approved permit application to the board of health where the facility is or will be located, return one copy to the applicant.