



Early Stakeholder Outreach — Composting Facility Rules, OAC Rules 3745-560-100, 3745-560-200, and 3745-560-300

Ohio EPA prepares these fact sheets to ensure stakeholders are brought into the review process as early as possible to provide their concepts and other input before the Agency's development of interested party draft rules.

What does OAC 3745-560 cover?

Ohio Administrative Code (OAC) 3745-560 contains the requirements for solid waste composting facilities. Specifically, this rulemaking addresses the correction of siting criteria for class I, II, and III composting facilities contained in OAC Rules 3745-560-100, 3745-560-200, and 3745-560-300.

Why are these rules being sent out for Early Stakeholder Outreach?

Early stakeholder outreach is commencing for revisions to OAC 3745-560 rules. The first step in the rule-making process is for Ohio EPA to identify that a rule needs to be amended, rescinded, or created. Ohio EPA has added an additional step to ensure stakeholders are brought into the rule process as early as possible. This additional interested party notification and request for information will allow for early feedback before the rule language has been developed by the Agency.

What changes are being considered?

Ohio EPA would like input on the following proposed revisions:

- Amendments to OAC 3745-560-200 to clarify the siting criteria for class II composting facilities related to occupied dwellings. The proposed revision mitigates a discrepancy in the original rule that specifies two different distances for siting a class II composting facility from an occupied dwelling. Historically, the rules have required a 250-foot setback from a class II composting facility to an occupied dwelling.
- Amendments to OAC 3745-560-100 for class I composting facilities and 3745-560-300 for class III composting facilities to remove redundancy in the siting criteria for occupied dwellings. Historically, the rules have required a 500-foot setback from a class I composting facility to an occupied dwelling, and a 250-foot setback from a class III composting facility to an occupied dwelling.

Who will be regulated by these rules?

OAC 3745-560 is applicable to owners and operators of composting facilities. These facilities are an alternative to landfilling and are categorized based on the classification of acceptable feedstocks.

What is the rulemaking schedule?

After consideration of stakeholder input, Ohio EPA will prepare a draft version of any amendments to OAC 3745-560 for interested party review and comment.

How can I track the program and rule-development progress?

How can I provide input?

The Agency is seeking stakeholder input on the proposed amendments to the composting rules. When preparing your comments, be sure to:

- explain your views as clearly as possible;
- describe any assumptions used;
- provide any technical information and/or data used to support your views;
- identify the nature of adverse impacts of this rule (for example, license fees, fines, employer time for compliance);
- explain how you arrived at your estimate for potential burdens, benefits or costs;
- provide specific examples to illustrate your views; and
- offer alternatives.

Written comments will be accepted through close of business on November 17, 2022.

Please submit input to:

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What if I have questions?

Please contact Angel Arroyo-Rodriguez at (614)-728-5336 or

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For a complete summary, please see the [Find Regulations | Ohio Environmental Protection Agency](#). Future steps include formally filing to amend OAC 3745-560 with the Joint Committee on Agency Rule Review (JCARR). At that time, JCARR will include the proposed rule on their meeting agenda and take public testimony. Visit JCARR's website for meeting dates and agenda items at <https://www.jcarr.state.oh.us/>.

Stakeholders are encouraged to sign up for the Agency's electronic mailing list which provides automatic updates about various topics. Registered users will receive progress updates and be notified when new information is posted on the program website. To sign up, go to [Support Login \(custhelp.com\)](#).