



Division of Solid and Infectious Waste Management

Summary of the Operational Requirements of OAC Chapter 3745-520 "Regulation of New Construction and Demolition Debris Facilities"

Does OAC Chapter 3745-520 "Regulation of New Construction and Demolition Debris Facilities" apply to me?

- OAC Chapter 3745-520 DOES NOT APPLY to an existing C&DD facility that will be filled up and closed without expanding the existing facility boundary or existing disposal limits.
OAC Chapter 3745-520 DOES APPLY to an owner or operator of a "new C&DD facility"; the statutory term "new C&DD facility" includes a proposed C&DD facility that has never existed before and an existing C&DD facility where the owner or operator wants to expand the facility.

When do the new rules apply to operation of a new C&DD facility?

The new operational rules apply upon issuance of a new facility C&DD license. The requirements for a new facility C&DD license application are found in OAC rule 3745-520-400.

Where are the operational requirements for new a C&DD facility found?

While OAC rule 3745-520-03 establishes general obligations (permit and license required) and OAC 3745-520-06 establishes ground water monitoring obligations for new C&DD facilities, detailed operational rule requirements are found in OAC rules 3745-520-600 to 3745-520-695. The approved license application will also include key facility specific operational requirements in the general plan of facility operations (GPFO) and any authorization to dispose of asbestos-containing waste material or conduct leachate recirculation.

Table with 2 columns: Requirement and Reference. Rows include Operational rules (New C&DD facility, Ground water monitoring, Fee collection, New C&DD facility operational rules) and Approved license application (General plan of facility operations, Authorization for disposal asbestos-containing waste materials).

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What areas are addressed by the operational rules for a new C&DD facility?

One approach to summarizing the operational rules is to view them in three basic areas:

- *Acceptance and handling of material*
- *Day to day general facility operational requirements and recordkeeping*
- *Facility specific or event triggered operational requirements*

Acceptance and handling of material

New C&DD facility operational rule requirements address operator acceptance, refusal, and rejection of loads and management of unauthorized materials and rejected loads. Collection of C&DD fees by the operator is found in statute (ORC Sections 3714.07 and 3714.071) and rule (OAC rule 3745-520-50).

OAC rule 3745-520-640 contains the basic requirements regarding the operator's refusal, acceptance, and rejection of loads. The license approved general plan of facility operations (GPFO) will contain facility specific handling requirements such as how and where acceptance of loads are recorded into the log of operations.

OAC rule 3745-520-640 and the license's general plan of facility operations (GPFO) are intended to provide the operator of a new C&DD facility options and greater flexibility on how to handle loads. Through the GPFO, the operator may choose to identify material storage areas (recyclable materials, asbestos-containing waste material, and unauthorized materials) to facilitate on-site storage and management of these materials. A new voluntary option for operators is to designate an on-site inspection zone where the operator may choose to temporarily unload and inspect suspect loads prior to acceptance and recording in the log of operations.

Use of an inspection zone would allow an operator to better comply with the statutory prohibition against acceptance of pulverized debris and other solid wastes by conducting on-site inspections of any load prior to acceptance. Use of an inspection zone may also provide the operator an on-site opportunity to remove and store recyclables and unauthorized materials prior to acceptance. The operator is free to designate an inspection zone in the license's GPFO. Once designated in the license's GPFO, it would be the operator's decision when and which loads to accept for delivery directly to the unloading zone or send to the inspection zone prior to acceptance.

In accordance with statute, OAC rule 3745-520-690 establishes a form prescribed by the director for certification of material from a C&DD transfer facility or documentation from the railroad transporting the C&DD. At the sole discretion of a new C&DD facility operator, the operator may request that this form be completed by a C&DD transfer facility or documentation provided by the railroad transporting the C&DD. Note that information provided under this rule does not alleviate an owner of operator of a C&DD facility from the obligation to comply with facility operational requirements.

Acceptance and handling of material

OAC rule 3745-520-02
Definitions: Accept; Refuse; and Reject

OAC rule 3745-520-630
Unauthorized material

OAC rule 3745-520-632
Loads rejected at the unloading zone

OAC rule 3745-520-634
Transporter or shipper requirements regarding rejected loads

OAC rule 3745-520-640
Acceptance, handling, and disposal

OAC rule 3745-520-690
Certification of material by C&DD transfer facilities and documentation from railroads

ORC sections 3714.07 & 3714.71; OAC rule 3745-520-50
Fee collection

Day to day general operational requirements and recordkeeping

Various day to day obligations are required of all new C&DD facilities. These operational rule requirements are found in OAC 3745-520-600 to 3745-520-695.

Day to day general operational requirements and recordkeeping

OAC rule 3745-520-03	New C&DD facility – general requirements
OAC rule 3745-520-06	Ground water monitoring
OAC rule 3745-520-600	Operations – general obligations
OAC rule 3745-520-610	Records management, log of operations, and log of odor complaints
OAC rule 3745-520-615	Routine facility inspections
OAC rule 3745-520-620	Obligations prior to disposing in a phase
OAC rule 3745-520-622	Select C&DD layer
OAC rule 3745-520-642	Phase completion
OAC rule 3745-520-650	Control of surface water and ground water to minimize leachate generation
OAC rule 3745-520-652	Leachate management and disposal
OAC rule 3745-520-660	Leachate sampling, analysis, and reporting
OAC rule 3745-520-696	Annual operational report

Facility specific or event triggered operational requirements

Several operational requirements are based on a facility specific license authorization (leachate recirculation or disposal of asbestos-containing waste material), facility engineered component (gas management system), regulatory request for information, or an event triggering implementation of a contingency plan.

Facility specific or event triggered operational requirements.

OAC rule 3745-520-605	Topographic maps, isopachs, and exceedences of disposal limits
OAC rule 3745-520-654	Leachate recirculation system operation
OAC rule 3745-520-665	Gas management system operation
OAC rule 3745-520-670	Fire and explosion prevention, investigation, and response: implementation of the fire and explosion contingency plan.
OAC rule 3745-520-675	Monitoring to determine whether a gas management system is being properly operated and to detect fire; responses required based on monitoring results
OAC rule 3745-520-680	Hydrogen sulfide and other gases and odors – prevention and investigation of releases; implementation of the hydrogen sulfide and other gases contingency plan
OAC rule 3745-520-685	Exclusions from rules and instructions for complying with rules when implementing a hydrogen sulfide and other gases contingency plan