



Ohio Revised Code

Section 3714.022 Rules governing processing facilities and inspection and issuance of permits.

Effective: October 6, 2017

Legislation: Senate Bill 2 - 132nd General Assembly

(A) The director of environmental protection shall adopt, and may amend and rescind, rules in accordance with Chapter 119. of the Revised Code governing processing facilities and the inspection of and issuance of permits to install and licenses for those facilities. The rules shall ensure that the facilities will not create a nuisance, fire hazard, or health hazard or cause or contribute to air or water pollution.

(B) The rules adopted under this section may establish all of the following:

(1) Requirements for the location, design, construction, operation, and closure of processing facilities;

(2) Requirements for the acceptance, storage, and accumulation of materials, including the accumulation of material for product development;

(3) The authorized maximum daily receipts;

(4) Fire prevention measures;

(5) Record-keeping procedures;

(6) The process for the closure of a processing facility;

(7) Financial assurance requirements;

(8) The management of stormwater and leachate;

(9) Standards and procedures for the issuance of permits to install under divisions (H) and (I) of



section 3714.051 of the Revised Code that shall include all of the following:

- (a) Information that must be included in the designs and plans required to be submitted with the application for a permit to install under section 3714.051 of the Revised Code and criteria for approving, disapproving, or requiring modification of the designs and plans;
 - (b) Information and the fee amount that must be included with an application for a permit to install in addition to the information required under section 3714.051 of the Revised Code;
 - (c) Procedures for the issuance, denial, modification, transfer, suspension, and revocation of permits to install;
 - (d) Grounds for the denial, modification, suspension, or revocation of permits to install;
 - (e) A requirement that a person that is required to obtain both a permit to install under section 3714.051 of the Revised Code and a license under section 3714.06 of the Revised Code obtain both the permit and license ;
 - (f) Criteria for establishing time periods after which a permit to install expires;
 - (g) Any other requirements that the director determines necessary in order to establish the program for the issuance of permits to install under section 3714.051 of the Revised Code.
- (C) Rules establishing financial assurance requirements for the closure of a processing facility shall require that prior to being issued an initial license for the facility under section 3714.06 of the Revised Code, the owner or operator of a facility submit a surety bond, a letter of credit, or other acceptable financial assurance in a fixed amount as specified by the director plus the fixed per cubic yard cost of transportation to and disposal of mixed construction and demolition debris at an authorized disposal facility.
- (D) The rules adopted under this section shall not prohibit the open burning of construction debris on a construction site in compliance with division (C)(1) of section 3704.11 of the Revised Code.



(E) The rules adopted under this section may allow for the issuance of a single license governing both a construction and demolition debris facility and a processing facility located on the same property.