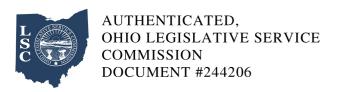


Ohio Administrative Code

Rule 3745-266-20 Applicability- recyclable materials used in a manner that constitutes disposal.

Effective: March 24, 2017

- (A) Rules 3745-266-20 to 3745-266-23 of the Administrative Code apply to recyclable materials that are applied to or placed on the land:
- (1) Without mixing with any other substances; or
- (2) After mixing or combination with any other substances. These materials will be referred to throughout rules 3745-266-20 to 3745-266-23 of the Administrative Code as "materials used in a manner that constitutes disposal."
- (B) Products produced for use by the general public that are used in a manner that constitutes disposal and that contain recyclable materials are not presently subject to regulation if the recyclable materials have undergone a chemical reaction in the course of producing the products so as to become inseparable by physical means and if such products meet the applicable treatment standards in rules 3745-270-40 to 3745-270-49 of the Administrative Code [or applicable prohibition levels in rule 3745-270-32 of the Administrative Code or Section 3004(d) of RCRA, where no treatment standards have been established] for each recyclable material (i.e., hazardous waste) that such products contain, and the recycler complies with paragraph (B)(6) of rule 3745-270-07 of the Administrative Code.
- (C) Anti-skid and deicing uses of slags, which are generated from high temperature metals recovery (HTMR) processing of hazardous wastes K061, K062, and F006, in a manner constituting disposal are not covered by the exemption in paragraph (B) of this rule and remain subject to regulation.
- (D) Fertilizers that contain recyclable materials are not subject to regulation provided that:
- (1) The fertilizers are zinc fertilizers excluded from the definition of "waste" according to paragraph (A)(21) of rule 3745-51-04 of the Administrative Code; or



(2) The fertilizers meet the applicable treatment standards in rules 3745-270-40 to 3745-270-49 of the Administrative Code for each hazardous waste that the fertilizers contain.

[Comment: For dates of non-regulatory government publications, publications of recognized organizations and associations, federal rules, and federal statutory provisions referenced in this rule, see rule 3745-50-11 of the Administrative Code titled "Incorporated by reference."]