



Ohio Administrative Code

Rule 3745-27-50 Solid waste incinerator or solid waste energy recovery facility permit to install application.

Effective: January 31, 2022

(A)

(1) A permit to install application, as required by section 3734.05 of the Revised Code, shall be submitted to, and approved by the director, before the establishment or modification of a solid waste incinerator or solid waste energy recovery facility is begun. The permit to install application shall contain the following:

(a) All the information required in paragraphs (B) to (C) of this rule such that the director can determine if the criteria set forth in rules 3745-27-02 and 3745-27-51 of the Administrative Code are satisfied.

(b) Detail engineering plans, specifications, and information that shall be presented in a manner acceptable to the director. Detail shall be sufficient to allow clear understanding for technical review of the permit application, to provide assurance that the facility is designed and will be operated in accordance with Chapters 3745-27 and 3745-37 of the Administrative Code, and to be readily understandable by operating personnel at the facility.

Applications to modify a facility with plans approved after May 31, 1991, shall contain new plan sheets to replace those affected by the proposed change, as well as any revised report sections. New narrative added to the revised report shall appear in capital letters, and narrative to be deleted shall be lined out.

An application, notwithstanding any deficiency, may be considered and acted upon if sufficient information is contained in the detail engineering plans, specifications, and report for the director to determine whether the criteria set forth in rules 3745-27-02 and 3745-27-51 of the Administrative Code are satisfied.

If the director determines that information in addition to that required by paragraphs (B) to (C) of this



rule is necessary to determine whether the criteria set forth in rules 3745-27-02 and 3745-27-51 of the Administrative Code are satisfied, the director shall require that the applicant supply such information as a precondition to further consideration of the permit to install application.

(2) Concurrent to submitting the permit to install application, the applicant shall also do the following:

(a) Submit a disclosure statement to the director and to the attorney general's office as required in rules 109:6-1-01 to 109:6-1-04 of the Administrative Code.

(b) Submit, to the division of air pollution control and the division of water pollution control of the Ohio EPA, written notification of intent to site a solid waste incinerator or solid waste energy recovery facility and a written request for information pertaining to any regulatory requirements under Chapter 3704. or 6111. of the Revised Code.

The application, and any revisions or alterations to the application, shall be submitted to the director and a copy sent to the board of health of the health district where the facility is or will be located. Any revisions or alterations to the permit application must be pertinent to the director's review of the initial application. Upon written request from Ohio EPA, the applicant shall submit additional and identically complete copies of the application to the director.

(3) The permit to install shall remain in effect until the director has received, and approved in writing, certification that all required final closure activities have been completed, unless the permit has been revoked or terminated in accordance with rule 3745-27-02 of the Administrative Code.

(B) The following detail engineering plans, specifications, and information for solid waste incinerator or solid waste energy recovery facilities shall be shown by means of drawings and narrative descriptions where appropriate. Minimum dimensions of the plan drawings shall be twenty-four inches by thirty-six inches.

(1) The detail engineering plan cover sheet to be numbered sheet 1, shall contain the following information:



(a) The name of the facility and identification of the facility as either a solid waste incinerator facility or a solid waste energy recovery facility.

(b) The precise geographic location and boundary of the facility, to be shown on a 7-1/2 minute USGS topographic map.

(c) The name, address, and telephone number of both the applicant and the facility operator.

(d) The name and address of the owner(s) of the land used for the facility.

(e) The name and address of the person who prepared the plans.

(2) Plan drawings, showing the following items located within the facility boundary and within five hundred feet of the facility boundary, shall contain all information in paragraphs (B)(2)(a) to (B)(2)(f) of this rule. Those items specified in paragraphs (B)(2)(b) to (B)(2)(f) of this rule shall be illustrated on a series of plan drawings which shall be numbered consecutively: 2A, 2B, 2C, etc. All information specified in an individual subheading must be shown on the same plan sheet. An individual plan drawing may contain information specified in more than one individual subheading. A scale of one inch equals no greater than one hundred feet shall be used unless otherwise specified.

(a) All plan drawings required by paragraph (B)(2) of this rule shall include those items specified in paragraph (B)(2)(a) of this rule.

(i) The property lines of all land owned or leased for the facility as determined by a property survey conducted by a professional skilled in the appropriate discipline(s).

(ii) All public roads, railroads, and occupied structures.

(iii) Existing topography showing vegetation and surface waters of the state, as defined in rule 3745-1-02 of the Administrative Code, with a contour interval no greater than five feet.

(iv) The north arrow.



(b) All existing land uses, zoning classifications, property owners, political subdivisions, and communities.

(c) All existing domiciles.

(d) The limits of the regulatory floodplain.

(e) National park or recreation areas, candidate areas for potential inclusion into the national park system, and any state park or established state park purchase areas.

(f) State nature preserves, state wildlife areas, national and state scenic rivers, any national wildlife refuge, special interest areas, research natural areas in the Wayne national forest, and state resource waters, coldwater habitats, and exceptional warmwater habitats as classified according to Chapter 3745-1 of the Administrative Code.

(3) Plan drawings, showing the following items located within the facility and within two hundred fifty feet of the facility boundary shall contain all information in paragraphs (B)(3)(a) to (B)(3)(d) of this rule. Those items specified in paragraphs (B)(3)(a) to (B)(3)(d) of this rule shall be illustrated on a series of plan drawings which shall be numbered consecutively: 3A, 3B, 3C, etc. All items specified in an individual subheading must be shown on the same plan drawing, unless otherwise specified. An individual plan drawing may contain information specified in more than one individual subheading. A scale of one inch equals no greater than fifty feet shall be used.

All plan drawings required by paragraph (B)(3) of this rule shall include those items specified in paragraph (B)(2)(a) of this rule.

(a) The location of all existing or proposed waste handling areas, areas designated for recycling activities, maintenance buildings, weighing facilities, storage buildings, and other occupied structures.

(b) The location of existing or proposed utilities, including water, sewerage and sewage treatment, electricity, gas, and telephone or other means of communication, and any utility company easements on or bordering the site.



(c) The location of all existing and proposed fencing, gates, and natural or other screening on the site. Contour intervals need not be delineated if such locations are shown on an aerial photograph.

(d) Existing and proposed constructed topography of the site. Contour lines shall have an interval no greater than five feet.

(4) Surface water drainage information within the facility boundary and within five hundred feet of the facility boundary shall be on plan drawings numbered consecutively 4A, 4B, 4C, etc., shall plainly indicate the vertical and horizontal scales used and shall show:

(a) The existing direction of flow and points of concentration of all surface waters.

(b) Drainage plans, which show:

(i) Grades.

(ii) Natural swales and streams and existing or proposed diversion trenches.

(iii) Any special drainage devices to be used for control of surface erosion.

(5) Detail construction and operational plans showing all facility operations shall be on plan drawings numbered consecutively 5A, 5B, 5C, etc. and shall show the following:

(a) Location of incinerators and any energy recovery equipment, and waste feed, ash removal, and air pollution control systems.

(b) Location of on-site solid waste handling areas, including areas designated for recycling activities and ash handling areas.

(c) Direction of prevailing winds during each season.

(d) Traffic patterns, including on-site and access roads.



(e) Cross sections, with an interval of not less than fifty feet, of all surfaces and facilities on or in which solid wastes will be placed prior to or during handling. Describe the methods and show the materials proposed to be utilized for construction of each surface and facility on each cross section.

(6) In a permit to install application subject to paragraph (O) of rule 3745-27-51 of the Administrative Code, plan drawings which clearly delineate all "waste handling areas" as that term is defined in paragraph (D) of rule 3745-27-37 of the Administrative Code and show both of the following:

(a) The distance between the "waste handling areas" and the property line of the premises on which the facility will be located.

(b) All domiciles, schools, jails and prisons located within one thousand feet of the "waste handling areas."

(C) The following information shall be presented in narrative form in a report divided according to paragraphs (C)(1) to (C)(5) of this rule:

(1) A summary of the site environs and explanation of how the facility will meet the criteria for permit approval by the director specified in rules 3745-27-02 and 3745-27-51 of the Administrative Code.

(2) For informational purposes only, a discussion of the following:

(a) The equipment to be used in the operation and maintenance of the facility, necessary to evaluate the requested maximum daily waste receipt. Such information shall include, at a minimum:

(i) Types of vehicles that will be used to deliver, handle, and remove solid wastes, including ash.

(ii) Performance capabilities, waste processing rate (if applicable), and principal specifications of each piece of powered equipment to be used for loading, unloading, handling, or processing of solid wastes, including charging and ash removal.



(iii) Capacity and type of each container to be used to store solid wastes, including ash and recycled materials, on site.

(b) Proposed hours of operation.

(3) A discussion of the following operational information:

(a) Authorized maximum daily waste receipt, as defined in rule 3745-27-01 of the Administrative Code, requested for the facility.

(b) Description of all activities to be performed on the site, including, but not limited to, unloading, loading, sorting, handling, storage, compacting, baling, shredding, crushing, processing rates and order of operations, charging and operation, ash removal procedures, operational methods used to handle bulky and/or dusty materials, and any other processing operations.

(c) Detailed description of the following:

(i) Methods of unloading waste material from transportation vehicles on the site.

(ii) Methods of on-site solid waste handling, including charging and handling of the ash. All putrescible solid wastes received at the facility shall be incinerated within twenty-four hours, unless an alternate incineration schedule has been approved by the director. All nonputrescible solid waste shall be incinerated within the timeframe specified by the permit.

(iii) Traffic patterns on the site.

(iv) Methods of loading all solid waste being shipped out, including ash.

(v) Inspection procedures to prevent accepting wastes that may present operational problems or wastes that may not be legally accepted.

(vi) Methods of on-site storage of solid wastes, including ash.



(d) Detailed discussion of control measures taken including the following:

- (i) The collection, containment, removal, and disposal of leachate, and methods to prevent leachate from entering surface or ground waters.
- (ii) Methods to prevent precipitation, surface waters, birds, rodents, and other vectors from reaching solid wastes on site.
- (iii) Measures to control fire, explosion, dust, odor, scavenging, erosion, and blowing debris.

(e) General recycling procedures to be conducted on site, if any.

(4) The following plans:

(a) A contingency plan detailing emergency equipment, procedures, notification, and remediation for the following:

(i) Discovery of unauthorized wastes.

(ii) Fire, explosion, and spills.

(iii) Equipment failure.

(iv) Handling, removal, and disposal of solid wastes if all or part of the facility should become unavailable for any reason.

(b) A contingency plan that provides for written notification to the single or joint county solid waste management district in which the facility is located, and general notification to service area and customers if all or part of the facility should become unavailable for any reason which would affect the facility's ability to accept solid waste.

(c) Ash management plans that shall comply with applicable state and federal requirements regarding the testing, analysis, and management of ash.



(d) A "final closure plan" that meets the minimum requirements for facility final closure as detailed in rule 3745-27-53 of the Administrative Code. The "final closure plan" shall contain, at a minimum, the following information:

(i) Schedule and description of the steps necessary to close the facility as detailed in rule 3745-27-53 of the Administrative Code.

(ii) Name, address, and telephone number of the person or office to contact regarding the facility during the final closure period.

(iii) Financial assurance information as specified in rule 3745-27-15 of the Administrative Code.

(5) All applications shall include the following:

(a) Copies of letters of intent with copies of certified mail receipts. These letters of intent shall describe the intended establishment or modification of a solid waste incinerator or solid waste energy recovery facility, including a description of property and facility boundaries, and shall be sent via certified mail to the following entities:

(i) The governments of the general purpose political subdivisions where the facility is situated, i.e., county commissioners, legislative authority of a municipal corporation, or the board of township trustees.

(ii) The single or joint county solid waste management district in which the facility is located.

(iii) The owner or lessee of any easement or right of way bordering or within the proposed facility boundaries which may be affected by the proposed solid waste facility.

(iv) The local zoning authority having jurisdiction, if any.

(v) The local air pollution planning authority having jurisdiction, if any.



(vi) Park system administrator, if any part of the facility is located within or shares the park boundary.

(vii) The conservancy district, if any part of the facility is located within or shares the conservancy district boundary.

(viii) The fire department having responsibility for providing fire control services where the facility is located.

(b) Proof of property ownership or lease agreement to use the property.

(c) A notarized statement that, to the best of the knowledge of the applicant, the detail engineering plans, specifications, and information in the permit application are true and accurate.