



Ohio Administrative Code

Rule 3745-28-07 Infectious waste host fees.

Effective: April 6, 2025

(A) A municipal corporation or township may levy an infectious waste host fee of not more than five dollars per ton on the treatment of infectious waste at an off-site infectious waste treatment facility located within the boundaries of the municipal corporation or township regardless of where the waste was generated. The legislative authority of a municipal corporation or township may levy infectious waste host fees under this paragraph by enacting an ordinance or adopting a resolution establishing the amount of infectious waste host fees. Upon enactment of an ordinance or adoption of a resolution, the legislative authority shall mail a copy of the ordinance or resolution by certified mail or any other form of mail accompanied by a receipt to the director, the board of health of the health district having jurisdiction within the municipal corporation or township, and the owner or operator of each off-site infectious waste treatment facility located in the municipal corporation or township.

(B) If a township or municipal corporation has enacted an ordinance or adopted a resolution levying infectious waste host fees on the off-site treatment of infectious waste as authorized by section 3734.024 of the Revised Code, the owner or operator of the off-site infectious waste treatment facility shall, as a trustee of the township or municipal corporation, commence collection of the infectious waste host fee on the sixtieth day after the effective date of the ordinance or adoption of the resolution.

(C) The owner or operator of the off-site infectious waste treatment facility shall prepare monthly infectious waste host fee returns using forms prescribed by the municipal corporation or township that at a minimum report the total tonnage of infectious waste treated at the off-site infectious waste treatment facility and the total amount of infectious waste host fees collected under section 3734.024 of the Revised Code. Not later than sixty days after the end of the month to which such a return applies, the owner or operator of the off-site infectious waste treatment facility shall remit to the treasurer or to the clerk the return for that month together with the infectious waste host fees that were to be levied on all infectious waste treated during the month as reported on the infectious waste host fee return.



If the infectious waste host fee return and infectious waste host fees are not remitted within sixty days of the last day of the month to which the return applies, the owner or operator of the off-site infectious waste treatment facility shall pay an additional fifty per cent of the amount of the infectious waste host fees for each month or fraction thereof that the fees were late. The late fee shall continue to accrue each month until the infectious waste host fees are remitted. The late fee shall be calculated using the following formula: total late fee due = (amount of infectious waste host fees that are late) x (.5) x (number of months that the infectious waste host fees are late, expressed as a whole number or fraction).

(D) The treasurer of a municipal corporation shall deposit moneys received into the general fund of the municipal corporation. The clerk of a township shall deposit moneys received into the general fund of the township. The treasurer or the clerk, as appropriate, shall maintain separate records of the moneys received from the infectious waste host fees levied under this rule.

(E) The township or municipal corporation shall use money collected pursuant to this rule exclusively for the following purposes:

(1) Providing financial assistance to the board of health of the health district having jurisdiction within the municipal corporation or township for the enforcement of the infectious waste provisions of Chapter 3734. of the Revised Code and rules, orders, and terms and conditions of permits and licenses adopted or issued thereunder.

(2) Providing local emergency response services in connection with an off-site infectious waste treatment facility and the transportation of infectious wastes to an off-site infectious waste treatment facility.

(3) Providing funding to a municipal corporation or township for conducting environmental monitoring programs in connection with off-site infectious waste treatment facilities located within the municipal corporation or township.

(F) If an off-site infectious waste treatment facility is located in more than one township or municipal corporation, each may adopt an infectious waste host fee equal to the fraction of the land area of the infectious waste treatment facility located within the township or municipal corporation



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multiplied by five dollars per ton of infectious waste treated by the infectious waste treatment facility.