



Ohio Administrative Code

Rule 3745-40-13 Requirements for the biosolids beneficial user management program.

Effective: March 1, 2026

[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 3745-40-01 of the Administrative Code.]

(A) Beneficial user certification.

(1) After January 1, 2028, no person shall beneficially use class B biosolids or bulk exceptional quality biosolids for agricultural use at a beneficial use site unless one of the following applies:

(a) That person has been certified as a beneficial user pursuant to this rule.

(b) That person is acting under the instruction and supervision of a certified beneficial user.

(2) The beneficial user shall apply for certification by submitting both of the following to Ohio EPA:

(a) An application on forms approved by Ohio EPA that includes, at a minimum, the following:

(i) Applicant's name.

(ii) Applicant's address.

(iii) Applicant's date of birth.

(iv) Applicant's email address.

(v) Applicant's phone number.

(vi) Name of employer, if applicable.



(vii) Address of employer, if applicable.

(b) Examination results showing that the applicant has successfully passed the biosolids beneficial user certification examination as set forth in this rule. Upon exam failure, the applicant may retake the exam no sooner than one week after the failed examination.

(3) Upon acceptance of a completed application and successful examination, Ohio EPA will issue a notification of certification and a beneficial user certification number to the applicant.

(4) The beneficial user certification shall be effective for a period of no more than three years.

(5) Renewal applications for a beneficial user certification shall include the information set forth in paragraph (A)(2) of this rule and be submitted at least sixty days prior to the expiration of a beneficial user certification.

(B) Examination requirements.

(1) Each applicant for an initial beneficial user certification or renewal of a beneficial user certification shall demonstrate that they possess adequate knowledge of the biosolids beneficial use requirements set forth in this chapter by successfully passing a biosolids beneficial user certification examination approved by the Ohio EPA.

(2) Opportunity to take the biosolids beneficial user certification examination will be provided electronically.

(C) Recordkeeping requirements.

(1) All certified beneficial users shall maintain biosolids beneficial use records in accordance with rule 3745-40-09 of the Administrative Code. For each day of biosolids beneficial use, the certified beneficial user or individual acting under the instruction and supervision of the certified beneficial user shall document the information set forth in rule 3745-40-09 of the Administrative Code within twenty-four hours of beneficial use.



(2) All individuals acting under the instruction and supervision of a certified beneficial user shall transmit all biosolids beneficial use records to the certified beneficial user within ten days of beneficial use.

(3) In addition to reporting as set forth in paragraphs (B) and (C) of rule 3745-40-12 of the Administrative Code, the beneficial user shall provide information to Ohio EPA within seven days of a request.

(4) All certified beneficial users shall maintain a directory of all individuals acting under the instruction and supervision of the certified beneficial user and make the directory available to Ohio EPA upon request.

(D) In accordance with this chapter, the director may take any of the following actions:

(1) Deny, suspend, or revoke a biosolids beneficial user certification for any of the following:

(a) Providing incomplete, false, or misleading information on the initial application or renewal application for a biosolids beneficial user certification.

(b) Failing to pass the biosolids beneficial user examination in accordance with this rule.

(c) Beneficially using biosolids in a manner that causes a nuisance, or an adverse impact to public health, safety, or the environment, and failing to remediate the condition within a reasonable time to the satisfaction of Ohio EPA.

(d) Failing to maintain records as required in this chapter or providing incomplete, false, or misleading records.

(e) A history of violations of this chapter.