



Ohio Administrative Code Rule 3745-50-56 Continuation of expiring permits.

Effective: [March 7, 2025](#)

(A) A facility operating pursuant to a hazardous waste permit that has expired may continue to operate in accordance with the terms and conditions of the expired permit until the renewal permit is issued or denied if:

(1) The permittee has submitted a timely and complete application for a new permit under rules 3745-50-40 and 3745-50-41 of the Administrative Code and the applicable provisions of rule 3745-50-44 of the Administrative Code; and

(2) The director, through no fault of the permittee, does not issue a new permit with an effective date on or before the expiration date of the previous permit (for example, when issuance is impracticable due to time or resource constraints).

(B) Effect. Permits continued under this rule remain fully effective and enforceable.

(C) Enforcement. When the permittee is not in compliance with the conditions of the expiring or expired permit, the director may choose to do any or all of the following:

(1) Initiate enforcement action based upon the permit which has been continued;

(2) Issue a notice of intent to deny the new permit under rule 3745-50-506 of the Administrative Code. If the permit is denied, the owner or operator would then be required to cease the activities authorized by the continued permit or be subject to enforcement action for operating without a permit;

(3) Issue a new permit under Chapter 3745-50 of the Administrative Code with appropriate conditions; or

(4) Take other actions authorized by the hazardous waste rules.



(D) State continuation. If a permittee has submitted a timely and complete application under Chapter 3745-50 of the Administrative Code, the terms and conditions of a hazardous waste management permit continue in force beyond the expiration date of the permit, but only until the effective date or denial of new hazardous waste management permit.

(E) Standardized permits.

(1) The conditions of the expired standardized permit continue until the effective date of the new permit if all of the following are true:

(a) If Ohio EPA is the permit-issuing authority;

(b) If a timely and complete "Notice of Intent" under paragraph (A) of rule 3745-50-702 of the Administrative Code requesting coverage under a standardized permit is submitted; and

(c) If the director, through no fault of the permittee, does not issue the standardized permit before the previous permit expires (for example, where it is impractical to make the permit effective by that date because of time or resource constraints).

(2) In some cases, the director may notify the permittee that the permittee is not eligible for a standardized permit [see paragraph (C) of rule 3745-50-704 of the Administrative Code]. In those cases, the conditions of the expired permit will continue if the permittee submits the information specified in paragraph (A)(1) of this rule (that is, a complete application for a new permit) within sixty days after the permittee receives Ohio EPA's notification that the permittee is not eligible for a standardized permit.