



Ohio Administrative Code Rule 3745-513-02 Definitions.

Effective: January 1, 2020

If a term used in this chapter is defined in rule 3745-500-02 of the Administrative Code, the definition in rule 3745-500-02 of the Administrative Code is applicable to this chapter unless the term is defined in this rule. As used in this chapter:

(A) "Ancillary structure" means any engineered structure that is necessary to ensure protection of human health, safety, and the environment including but not limited to the following:

(1) An explosive gas extraction and control system.

(2) An explosive gas monitoring system.

(3) A ground water monitoring system.

(4) A leachate management system.

(5) A surface water management system.

(6) Any other engineered structure that is necessary to ensure protection of human health, safety, and the environment.

(B) [Reserved.]

(C) "Chapter 3745-513 of the Administrative Code activities" or "chapter 513 activities" means engaging in filling, grading, excavating, building, drilling, or mining on land where a solid waste facility or hazardous waste facility was operated.

(D) [Reserved.]



(E) [Reserved.]

(F) "Facility" means the site where chapter 513 activities are occurring or are proposed to occur and includes the following:

(1) The limits of solid waste placement, solid waste handling area, or area of hazardous waste treatment, storage, or disposal.

(2) Those areas within three hundred feet of the limits of solid waste placement or area of hazardous waste treatment, storage or disposal if the chapter 513 activities in these areas are likely to adversely impact the integrity of the emplaced waste, any ancillary structures, or the public health or safety or the environment.

[Comment: Impacting the integrity of the solid waste placement or hazardous waste treatment, storage or disposal area, and any ancillary structures related thereto, includes any activity resulting in damage to leachate tanks or lines or causing waste, leachate, or gas to be moved from the limits of waste placement, such as slope failure.]

(G) [Reserved.]

(H) "Historic facility" means a site where chapter 513 activities are being conducted or are proposed to be conducted and includes the following:

(1) A solid waste landfill never licensed or permitted pursuant to rules adopted under Chapter 3734. of the Revised Code that ceased waste acceptance prior to July 29, 1976.

(2) A solid waste composting facility never licensed, permitted, or registered pursuant to rules adopted under Chapter 3734. of the Revised Code that ceased waste acceptance prior to June 1, 1992.

(3) A scrap tire monofill facility never licensed, permitted, or registered pursuant to rules adopted under Chapter 3734. of the Revised Code that ceased waste acceptance prior to March 1, 1996.



(4) A solid waste facility or hazardous waste facility that received a covenant not to sue pursuant to Chapter 3746. of the Revised Code and does not have an operation and maintenance agreement pursuant to that covenant.

(5) Any other solid waste facility or hazardous waste facility that has ceased waste acceptance and is not otherwise excluded from the requirements of this chapter.

(I) [Reserved.]

(J) [Reserved.]

(K) [Reserved.]

(L) [Reserved.]

(M) "Modern facility" means a site where chapter 513 activities are being conducted or are proposed to be conducted and includes the following:

(1) A solid waste landfill formerly licensed or permitted pursuant to rules adopted under Chapter 3734. of the Revised Code.

[Comment: For operating facilities, the use of a permit alteration or modification is recommended to authorize filling, grading, excavating, building, drilling, or mining activities.]

(2) A solid waste landfill never licensed or permitted pursuant to rules adopted under Chapter 3734. of the Revised Code that accepted solid waste after July 29, 1976.

(3) A solid waste composting facility never licensed, permitted, or registered pursuant to rules adopted under Chapter 3734. of the Revised Code that accepted solid waste after June 1, 1992.

(4) A scrap tire monofill facility never licensed, permitted, or registered pursuant to rules adopted under Chapter 3734. of the Revised Code that accepted scrap tires after March 1, 1996.



(5) A hazardous waste treatment, storage, or disposal facility that has not obtained a hazardous waste facility installation and operation permit, a permit renewal, or an approved closure or post-closure plan, and that has not completed closure and post-closure care of any hazardous waste management unit pursuant to rules 3745-55-10 to 3745-55-20 of the Administrative Code or rules 3745-66-10 to 3745-66-20 of the Administrative Code.

(6) A hazardous waste treatment, storage, or disposal facility that has completed post-closure of any hazardous waste management unit as required by rules 3745-55-10 to 3745-55-20 of the Administrative Code or rules 3745-66-10 to 3745-66-20 of the Administrative Code, or pursuant to an administrative or judicial order.

(7) A solid or hazardous waste facility that received a covenant not to sue under Chapter 3746. of the Revised Code and has an operation and maintenance agreement pursuant to that covenant that does not already authorize the proposed chapter 513 activities.

[Comment: Rule 3745-300-02 of the Administrative Code specifies properties that are eligible to pursue a covenant not to sue under Chapter 3746. of the Revised Code.]