



Ohio Administrative Code

Rule 3745-525-610 Air criteria, 40 C.F.R. 257.80.

Effective: October 1, 2026

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- (A) The owner or operator of a CCR unit shall adopt measures that will effectively minimize CCR from becoming airborne at the facility, including CCR fugitive dust originating from CCR units, roads, and other CCR management and material handling activities.
- (B) CCR fugitive dust control plan. The owner or operator of the CCR unit shall prepare and operate in accordance with a CCR fugitive dust control plan as specified in paragraphs (B)(1) to (B)(7) of this rule. This requirement applies in addition to, not in place of, any applicable standards under the Occupational Safety and Health Act.
- (1) The CCR fugitive dust control plan shall identify and describe the CCR fugitive dust control measures the owner or operator will use to minimize CCR from becoming airborne at the facility. The owner or operator shall select, and include in the CCR fugitive dust control plan, the CCR fugitive dust control measures that are most appropriate for site conditions, along with an explanation of how the measures selected are applicable and appropriate for site conditions. Examples of control measures that may be appropriate include locating CCR inside an enclosure or partial enclosure; operating a water spray or fogging system; reducing fall distances at material drop points; using wind barriers, compaction, or vegetative covers; establishing and enforcing reduced vehicle speed limits; paving and sweeping roads; covering trucks transporting CCR; reducing or halting operations during high wind events; or applying a daily cover.
 - (2) If the owner or operator operates a CCR landfill or any lateral expansion of a CCR landfill, the CCR fugitive dust control plan shall include procedures to emplace CCR as conditioned CCR. Conditioned CCR means wetting CCR with water to a moisture content that will prevent wind dispersal, but will not result in free liquids. In lieu of water, CCR conditioning may be accomplished with an appropriate chemical dust suppression agent.
 - (3) The CCR fugitive dust control plan shall include procedures to log citizen complaints received by the owner or operator involving CCR fugitive dust events at the facility.
 - (4) The CCR fugitive dust control plan shall include a description of the procedures the owner or operator will follow to periodically assess the effectiveness of the control plan.
 - (5) The owner or operator of a CCR unit shall have prepared an initial CCR fugitive dust control plan for the facility not later than October 19, 2015, or by initial receipt of CCR in any CCR unit at the facility if the owner or operator becomes subject to this chapter after October 19, 2015. The owner or operator has completed the initial CCR fugitive dust control plan when the plan has been



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placed in the facility's operating record as required by paragraph (G)(1) of rule 3745-525-50 of the Administrative Code.

- (6) Amendment of the plan. The owner or operator subject to the requirements of this rule may amend the written CCR fugitive dust control plan at any time provided the revised plan is placed in the facility's operating record as required by paragraph (G)(1) of rule 3745-525-50 of the Administrative Code. The owner or operator shall amend the written plan not later than thirty days whenever there is a change in conditions that would substantially affect the written plan in effect, such as the construction and operation of a new CCR unit.
- (7) The owner or operator shall obtain a certification from a qualified professional engineer that the initial CCR fugitive dust control plan, or any subsequent amendment of it, meets the requirements of this rule.
- (C) Annual CCR fugitive dust control report. The owner or operator of a CCR unit shall prepare an annual CCR fugitive dust control report that includes a description of the actions taken by the owner or operator to control CCR fugitive dust, a record of all citizen complaints, and a summary of any corrective measures taken. The initial annual report shall be completed not later than fourteen months after placing the initial CCR fugitive dust control plan in the facility's operating record. The deadline for completing a subsequent report is one year after the date of completing the previous report. For purposes of this paragraph, the owner or operator has completed the annual CCR fugitive dust control report when the plan has been placed in the facility's operating record as required by paragraph (G)(2) of rule 3745-525-50 of the Administrative Code.
- (D) The owner or operator of the CCR unit shall comply with the recordkeeping requirements specified in paragraph (G) of rule 3745-525-50 of the Administrative Code, the notification requirements specified in paragraph (G) of rule 3745-525-60 of the Administrative Code, and the internet requirements specified in paragraph (G) of rule 3745-525-70 of the Administrative Code.