



## Ohio Administrative Code

### Rule 3745-560-101 Criteria and procedures for approval, revocation, and administrative change of a class I composting facility permit to install.

Effective: December 1, 2025

---

(A) An application notwithstanding any deficiency may be considered and acted upon if sufficient information is provided in the application for the director to determine whether the criteria set forth in this rule are satisfied.

(B) Criteria for approval.

(1) The director shall not approve a class I composting facility permit to install unless the following are determined:

(a) Establishment or modification and operation of the class I composting facility will not violate Chapter 3704., 3734., or 6111. of the Revised Code.

(b) The applicant, or person listed as the owner or operator, if the owner or operator is not the applicant, is in substantial compliance with, or on a legally enforceable schedule through issuance of an administrative order or judicial order to attain compliance with Chapters 3704., 3714., 3734., 3745., and 6111. of the Revised Code .

(c) The applicant, or person listed as the owner or operator, if the owner or operate is not the applicant, meets the requirements of sections 3734.40 to 3734.47 of the Revised Code and rules adopted thereunder.

(d) The person listed as operator of the facility meets the requirements of division (L) of section 3734.02 of the Revised Code and rules adopted thereunder.

(e) The permit to install application contains the necessary information pursuant to rule 3745-560-100 of the Administrative Code.

(f) The siting criteria established in rule 3745-560-100 of the Administrative Code have been met.



(g) The facility preparation requirements are met as established in rule 3745-560-102 of the Administrative Code.

(h) The letters of intent were sent in accordance with rule 3745-560-100 of the Administrative Code.

(2) If the director determines that information in addition to that specified in rule 3745-560-100 of the Administrative Code is necessary to determine whether the criteria set forth in paragraph (A) of this rule are satisfied, the director may instruct the applicant supply such information as a precondition to further consideration of the permit to install application.

(C) Criteria for denial. The director may deny an application for a permit to install for any of the following reasons:

(1) Any of the criteria in paragraph (B) of this rule that are applicable to the owner or operator are not met.

(2) The permit to install application is incomplete and the applicant has not corrected noted deficiencies and resubmitted the application not later than thirty days after receipt of the notice of deficiency or has not submitted a written request for and obtained approval of a thirty day extension.

(3) Falsification of any material information necessary to be submitted to the director as part of the permit to install application.

(4) The class I composting facility is proposed to be established on land where a hazardous or solid waste facility was operated and the applicant has not obtained previous authorization as specified in Chapter 3745-513 of the Administrative Code.

(D) Criteria for revocation of a class I composting facility permit to install. The director may revoke a class I composting facility permit to install when any of the following apply:

(1) The composting facility ceases to be an active composting facility.



(2) The composting facility was modified or altered and the owner or operator did not submit to Ohio EPA a modification or alteration request for the changes and failed to obtain any applicable authorizing documents.

(3) A solid waste facility license held by the owner or operator of the composting facility expires and no license renewal has been applied for in the manner prescribed in Chapter 3745-501 of the Administrative Code.

(4) A solid waste facility license held by the owner or operator of the composting facility expires and a license renewal has been applied for and denied as a final action of the licensing authority.

(5) A solid waste facility license held by the owner or operator of the composting facility has been revoked as a final action of the licensing authority.

(6) The owner or operator sells or offers for sale at retail or wholesale, uses, distributes for use, or gives away any compost that does not comply with the applicable quality standards established in this chapter.

(7) The establishment or operation of the composting facility has violated Chapter 3704., 3734., or 6111. of the Revised Code.

(8) Any causes for revocation pursuant to rule 3745-500-350 of the Administrative Code.

(E) Procedures.

(1) When issuing, denying, modifying, suspending, approving or denying transfer of, or revoking a permit to install, the director shall follow the appropriate procedures set forth in rule 3745-500-120 of the Administrative Code and any applicable procedures set forth in the Revised Code.

(2) Upon approving or denying the transfer of a permit to install, the director shall retain and distribute copies of the signed approval or denial letter pursuant to rule 3745-500-130 of the Administrative Code.