



Ohio Administrative Code

Rule 3745-560-235 Closure and termination of registration requirements for class II composting facilities.

Effective: December 1, 2025

(A) The owner or operator of a composting facility shall perform closure as specified in this rule if any of the following occurs:

- (1) The composting facility ceases to be an active composting facility.
- (2) The owner or operator fails to provide a notice of intent to continue the composting facility registration in accordance with paragraph (C)(2) of rule 3745-560-215 of the Administrative Code or fails to obtain an extension from Ohio EPA for such purpose, resulting in termination of the registration.
- (3) The owner or operator has not applied for or has not obtained a solid waste facility license in a 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 no license renewal has been applied for in the manner prescribed in Chapter 3745-501 of the Administrative Code.
- (5) 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.
- (6) A solid waste facility license held by the owner or operator of the composting facility has been revoked as a final action of the licensing authority.
- (7) The director issues a final action addressing the following:
 - (a) 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.



(b) Waste materials were accepted at the facility prior to obtaining a license in accordance with Chapter 3745-501 of the Administrative Code.

(c) The establishment or operation of the composting facility has violated Chapter 3704., 3714., 3734., or 6111. of the Revised Code or rules adopted thereunder.

(B) The owner or operator of a facility subject to perform closure in accordance with this rule shall do the following:

(1) If the facility is closing pursuant to paragraph (A)(1) of this rule, send a written notification to Ohio EPA, the approved health district, and the solid waste management district indicating the date on which the facility will cease acceptance of the waste materials.

(2) Not later than seven days after closure is triggered under paragraph (A) of this rule, post signs stating the following in letters not less than three inches high that are easily visible at all access points into the facility and maintained in legible condition for not less than one year, until the facility re-opens as a registered composting facility, or until the facility is converted to an alternative use:

"This facility is closed for all composting activities and all receipt of waste materials. Depositing solid wastes at this site constitutes open dumping, which is a violation of Chapter 3734. of the Revised Code."

(3) Conduct the facility closure requirements in accordance with paragraph (C) of this rule.

(4) Send written notification to Ohio EPA or approved health district certifying that the facility closure requirements have been completed in accordance with this rule.

(5) Comply with rule 3745-560-210 of the Administrative Code until receipt of a letter of concurrence from Ohio EPA or the approved health district stating that the facility is in compliance with the closure requirements of this rule.

(C) Not later than thirty days after closure is triggered pursuant to paragraph (A) of this rule, the



owner or operator shall perform the following closure activities:

- (1) Remove compost products and solid wastes from the composting facility.
 - (2) Remove and properly dispose of leachate remaining on the site in accordance with applicable laws and regulations.
 - (3) Modify, remove, or seal the leachate collection system to prevent discharges from the system to surface waters of the state or ground water unless such discharges are otherwise regulated in accordance with Chapter 6111. of the Revised Code.
 - (4) Clean containers, equipment, machines, and materials placement area surfaces that were in contact with solid wastes at any time during the operation of the facility using procedures that substantially reduce or eliminate any remaining constituents or contaminants. This paragraph does not apply to materials placement area surfaces composed of soil, gravel, slag, or other permeable material.
- (D) A registration for a facility that has not terminated pursuant to paragraph (A)(2) of this rule and that has completed closure shall terminate upon receipt of a letter of concurrence by Ohio EPA or the approved health district stating that the facility is in compliance with the closure requirements contained in this rule.
- (E) This rule does not apply to a registrant who requests termination of a composting facility registration after obtaining a class I composting facility permit to install and annual license.
- (F) An owner or operator who requests the termination of the composting facility registration after the composting facility ceases to be an active composting facility, for the purpose of a change to a class III or IV composting facility, or to change to a yard waste only transfer facility in accordance with Chapter 3745-555 of the Administrative Code, may submit a written request to Ohio EPA or the approved health district for alternative closure requirements. Ohio EPA or the approved health district may approve alternative closure requirements provided the requirements are protective of public health, safety, and the environment.