

3745-50-26 Procedures for variances from classification as a waste or to be classified as a boiler.

The director will use the following procedures in evaluating applications for variances from classification as a waste or applications to classify particular enclosed flame combustion devices as boilers:

- (A) The applicant must apply to the director for the variance. The application must address the relevant criteria contained in rule 3745-50-24 or 3745-50-25 of the Administrative Code.
- (B) The director will evaluate the application and issue a draft notice tentatively granting or denying the application. Notification of this tentative decision will be provided by newspaper advertisement or radio broadcast in the locality where the recycler is located. The director will accept comment on the tentative decision for thirty days, and may also hold a public hearing upon request or at his discretion. The director will issue a final decision after receipt and consideration of comments and after the hearing, (if any).

Effective: 12/07/2004

119.032 review dates: Exempt

Promulgated under: 119.03

Statutory authority: 3734.12

Rule amplifies: 3734.12

Prior effective dates: 01/30/1986