

3745-37-02 Solid waste facility license, infectious waste treatment facility license or construction and demolition debris facility license application.

(A)

- (1) The owner or operator of a solid waste facility or infectious waste treatment facility or construction and demolition debris facility shall be the applicant for a facility license. Applications for solid waste facility licenses required by rule 3745-37-01 of the Administrative Code or infectious waste treatment facility licenses required by division (B) of section 3734.05 of the Revised Code and rule 3745-37-01 of the Administrative Code, or construction and demolition debris facility licenses required by division (A) of section 3714.06 of the Revised Code and rule 3745-37-01 of the Administrative Code shall be made on forms prepared by the director and shall contain such information as the director may require. An applicant for a construction and demolition debris facility license shall submit two copies of the application to the licensing authority; and
- (2) An incomplete application shall not be considered. Within thirty days of the receipt of an incomplete application or sixty days in the case of an incomplete construction and demolition debris facility license application, the applicant shall be notified of the nature of the deficiency and of refusal by the director or the board of health to consider the application until the deficiency is rectified and the application completed; and
- (3) For construction and demolition debris facilities, if the licensing authority determines that information in addition to that required by this rule is necessary to determine whether the application satisfies the requirements of Chapters 3745-400 and 3745-37 of the Administrative Code, the license applicant shall supply such information as a precondition to further consideration of the license application.

(B) Applications for solid waste licenses or infectious waste treatment facility licenses or construction and demolition debris facility licenses shall be signed by the owner or operator of the solid waste facility or infectious waste treatment facility or construction and demolition debris facility:

- (1) If the owner or operator is a political subdivision, the application shall be signed by the chief administrative officer or contractual officer of said subdivision; or
- (2) If the owner or operator is a corporation, the application shall be signed by the corporate officer having direct responsibility for the facility; or
- (3) If the owner or operator is an organization other than a corporation, the application shall be signed by an equivalently responsible individual; or
- (4) If the owner or operator is an individual or sole proprietorship, the application shall be signed by the owner or operator.

(C) The signatures on a license application shall constitute personal affirmation that all statements or assertions of fact made in the application are true and complete, comply fully with applicable state requirements, and shall subject the signatory to liability under applicable state laws concerning the submittal of false or misleading statements. The signatures shall constitute an

agreement that the signatories shall assume responsibility for compliance with Chapter 3734. of the Revised Code and Chapters 3745-27 and 3745-37 of the Administrative Code for solid waste or infectious waste treatment facility licenses or in the case of a construction and demolition debris facility license with Chapter 3714. of the Revised Code and Chapters 3745-400 and 3745-37 of the Administrative Code.

(D) Applications for solid waste facility licenses or infectious waste treatment facility licenses or construction and demolition debris facility licenses shall be made:

- (1) At least ninety days prior to the anticipated date for accepting waste or debris at the facility; and
- (2) For those construction and demolition debris facilities under construction or in operation on the effective date of this rule, within six months of the effective date of this rule; and
- (3) During the month of September, if the licensed facility will continue operations beyond December thirty-first.

Any license application not filed in the manner set forth in paragraph (D) of this rule shall not be considered.

(E) A construction and demolition debris facility license application shall include:

[Comment: Paragraph (D) of rule 3745-400-11 of the Administrative Code requires all permits, required by Chapters 3704. and 6111. of the Revised Code, be obtained by the owner or operator prior to debris placement. Note that depending on which types of permits are required, timeframes for obtaining those permits may vary from the ninety days established for a construction and demolition debris facility license.]

- (1) The facility design plan required in paragraph (A) of rule 3745-400-07 of the Administrative Code; and
- (2) In the initial license application, a letter from the local fire department stating that the department will respond to fires at the facility; and
- (3) Delineation of the following on a plan drawing meeting the specifications in paragraph (F)(2) of rule 3745-400-07 of the Administrative Code:
 - (a) Proposed active licensed disposal area; and
 - (b) Proposed inactive licensed disposal area(s):
 - (i) That have no debris placed in the area; and
 - (ii) For an existing facility, that has not been filled after the effective date of this rule but does not have a dense vegetative cover on it; and

- (iii) That have been capped in accordance with paragraphs (D) and (E) of Rule 3745-400-07 of the Administrative Code as applicable and received a capping certification approval, after the effective date of this rule, as required by paragraph (A)(3) of rule 3745-400-08 of the Administrative Code. These areas shall be subdivided and labeled as to the date the designated area received a capping certification approval by the licensing authority; and
- (c) For an existing facility, unfilled areas as of the effective date of this rule where debris is placed after the effective date of this rule and where liner or leachate collection system installation is delayed. This requirement applies to existing facilities for license years 1997, 1998, and 1999; and

[Comment: Paragraph (B) of rule 3745-400-11 of the Administrative Code allows filling in unlined areas up to a maximum of six contiguous acres or until January 1, 1999, whichever event occurs first.]

- (4) The acreage for each area designated in paragraph (E)(3) of this rule; and
- (5) For informational purposes only provide, in years, the remaining life of the facility; and
- (6) All financial assurance documentation required by rule 3745-400-13 of the Administrative Code; and
- (7) A debris placement plan, prepared by a professional engineer, which includes the following information on drawings and in narrative form. If plan drawings are used, the drawings shall be on plan sheets with a minimum dimension of twenty-four inches by thirty-six inches. The scale on the plan drawings shall be one inch equals no greater than two hundred feet and the contour interval shall be no greater than five feet. The debris placement plan shall include the following:
 - (a) Facility operation plan drawing(s) which includes the following information:
 - (i) Facility boundaries and limits of debris placement; and
 - (ii) Delineation of the areas and construction sequence for systematic construction activities in the unfilled areas of the proposed active licensed disposal area; and
 - (iii) Delineation of the areas designated for debris placement in the proposed active licensed disposal area and delineation of sequence of operational activities to ensure that operations are in compliance with rule 3745-400-11 of the Administrative Code; and
 - (iv) Depiction of which ground water monitoring system wells from the facility design plan information that will be installed or will continue to be sampled throughout the licensing period; and

- (v) Direction of flow for all surface waters at the facility, including the location of all run-on and run-off controls (e.g. ditches) for the limits of debris placement. For informational purposes only, show the location of any storm water, erosion and sediment controls required by the clean water act and regulated by the Ohio EPA division of surface water (e.g. sedimentation pond, etc.); and

[Comment: The reason for including the locations of the control structures regulated by the division of surface water is so that the plan identifies the entire drainage plan for the facility. However, Chapters 3745-37 and 3745-400 of the Administrative Code only regulate the run-on and run-off controls for the limits of debris placement.]

- (vi) All access roads needed to be constructed and operating during the licensure period; and
- (b) Detail drawings of the surface water run-on and run-off control structures; and
 - (c) Pre-acceptance debris screening program narrative if the owner or operator chooses to implement such a program in place of the establishment of an unloading zone as required by rule 3745-400-11 of the Administrative Code. The program narrative shall include the following information:
 - (i) Procedures for recording and maintaining records of the following: generator identification, source of the debris, the types of debris in the load including affirmation that the load does not contain prohibited materials, whether the debris arrives at the facility unprocessed or processed (e.g. shredded), and a written verification by the generator for each load of debris stating answers to all of the information required above; and
 - (ii) A description of procedures and the personnel responsible for determining waste acceptance and for documenting decisions concerning waste acceptance. These procedures shall include:
 - (a) Procedures for conducting random inspection of incoming loads with visual observation of the load to identify prohibited materials; and
 - (b) Procedures to be utilized upon discovery of prohibited materials; and
 - (c) Procedures for recording the incidence of discovery of prohibited materials and measures taken in response to each incident; and
 - (d) Procedures for training personnel conducting waste review and inspection activities; and

- (d) For an existing facility, plan drawings showing the horizontal limits of any soil barrier layer for construction over placed debris.

[Comment: For an existing facility, a barrier layer may be constructed at any time until January 1, 1999, when all areas for debris placement in the facility shall have isolation material, as specified in paragraph (A) of rule 3745-400-09 of the Administrative Code, or a liner or a barrier layer or a final cap system as specified in paragraphs (F) and (G) of rule 3745-400-07 of the Administrative Code.]

HISTORY: Eff 7-29-76; 5-1-90; 6-1-94; 9-30-96