

**\*\*\* DRAFT – NOT FOR FILING \*\*\***

3745-520-300      **Permit to install - application requirements and applicant procedures.**

(A) An application for a permit to install shall be accompanied by the application fee established in section 3714.051 of the Revised Code.

(B) An applicant shall submit an application for a permit to install to the approved board of health or to the director in the absence of an approved board of health. The application and subsequent revisions to the application shall be submitted in triplicate. Each revised page or drawing shall contain the date of the revision. Revisions to the application shall be accompanied by the following:

(1) An index listing each change and the page where each change occurred.

(2) For plan drawings, a schedule on the drawing indicating what has changed.

(C) Permit to install application content.

The detail of the information in the application shall be sufficient to allow the permitting authority to determine whether the criteria for issuance set forth in rule 3745-520-312 of the Administrative Code are satisfied. A permit to install application shall contain the following:

(1) A completed application cover sheet on the form prescribed by the director.

(2) Completed permit to install application on forms prescribed by the director.

(3) The location or proposed location of the C&DD facility and anticipated beginning and ending dates for work performed.

(4) The compliance disclosure information required by section 3714.052 of the Revised Code.

(5) A copy of any local zoning resolutions for the property where the C&DD facility is located or is proposed to be located and for adjacent properties.

(6) A letter from the department of natural resources or other appropriate agency verifying the type, location, depth, and status of oil wells, gas wells, and water supply wells within five hundred feet of the proposed C&DD facility boundary.

(7) A copy of each notification and request sent pursuant to paragraph (D) of this rule.

(8) A copy of each letter of intent sent pursuant to paragraph (E) of this rule and evidence documenting the delivery of the letters.

**\*\*\* DRAFT – NOT FOR FILING \*\*\***

- (9) Documentation that the C&DD facility will have access roads constructed in a manner that allows use in all weather conditions and that will withstand the anticipated degree of use and minimize erosion and generation of dust, unless excepted from siting criteria in accordance with paragraph (B) of rule 3745-520-100 of the Administrative Code.
- (10) A site investigation report that conforms to Chapter 3745-510 of the Administrative Code.
- (11) A facility design plan that conforms to rule 3745-520-302 of the Administrative Code.
- (12) Digital, GIS-compatible mapping data for the C&DD facility boundary and the boundary of the disposal limits. The data shall comply with the following standards:
- (a) The data shall contain spatial reference data in a known, horizontal, geodetic datum such as the North American Datum of 1983 (NAD 83) or the World Geodetic System 1984 (WGS 84).
  - (b) The data shall have a horizontal accuracy of less than one meter in a known, horizontal geodetic datum such as NAD 83 or WGS 84.
  - (c) The boundaries shall be in the form of polygons and submitted as polygon shapefiles. The shapefiles shall be in a form that is readable by GIS software produced after 1996. The shapefiles shall be projected in Ohio state plane south with measurement units in feet.
  - (d) The shapefiles containing boundary features shall contain the data necessary to distinguish between the polygon feature that represents the C&DD facility boundary and the polygon feature that represents the disposal limits using GIS software.
- (13) The following information supporting the digital, GIS-compatible mapping data required by paragraph (C)(12) of this rule:
- (a) The method used to record and digitize the boundary features.
  - (b) The horizontal accuracy of the boundary features.
  - (c) The reference geodetic datum in which the shapefiles were created.
  - (d) Contact information for the person knowledgeable about the methods used to create the shapefiles or for the person that has access to this information.

**\*\*\* DRAFT – NOT FOR FILING \*\*\***

- (e) The date the boundary features were digitized.
- (14) An exemption request if an exemption would be necessary for issuance of the permit to install, unless the exemption request was submitted prior to submittal of the permit to install application.
- (15) Any other information requested by Ohio EPA or the approved board of health that is necessary to determine whether the criteria for issuance of a permit to install set forth in rule 3745-520-312 of the Administrative Code are satisfied.
- (D) Prior or concurrent to submitting an application for a permit to install, the applicant shall submit to the following entities a written notification of intent to establish a new C&DD facility and a written request for information pertaining to any regulatory requirements under Chapter 3704. or 6111. of the Revised Code:

  - (1) The local air pollution control authority or Ohio EPA, division of air pollution control, whichever is applicable.
  - (2) Ohio EPA, division of surface water.
- (E) Prior to submitting an application for a permit to install, the applicant shall send letters of intent to establish a new C&DD facility. At a minimum, the letters shall include a description of the proposed facility boundary and the proposed disposal limits. The letters shall be sent via certified mail or another form of mail accompanied by a receipt to the following entities:

  - (1) The governments of the general purpose political subdivisions where the facility is located or proposed to be located, including but not limited to county commissioners, the legislative authority of a municipal corporation, or the board of township trustees.
  - (2) The owner or lessee of any easement or right of way bordering or within the proposed facility boundary.
  - (3) The local zoning authority having jurisdiction if any part of the facility is located or proposed to be located within an area with a zoning resolution.
  - (4) The local fire department that would respond to the facility.
  - (5) The park system administrator if any part of the facility is located or proposed to be located within or adjacent to a park boundary.
  - (6) The conservancy district if any part of the facility is located or proposed to be located within or adjacent to a conservancy district boundary.

**\*\*\* DRAFT – NOT FOR FILING \*\*\***

(7) The authority responsible for implementing the National Flood Insurance Act of 1968, as described in rule 3745-500-03 of the Administrative Code, and rules adopted thereunder at the facility and in the vicinity of the facility.

(F) An applicant shall comply with the public hearing requirements in rule 3745-520-304 of the Administrative Code.

(G) Notices of deficiency.

(1) Permittee procedures. If the permitting authority determines that the permit to install application is incomplete or if information in addition to that required by this rule is necessary to determine whether the criteria for issuance set forth in rule 3745-520-312 of the Administrative Code are satisfied, the applicant shall provide such information not later than one hundred eighty days after the date of a notice of deficiency from the permitting authority, unless an extension is granted by the permitting authority. Not later than one hundred eighty days after the date of a notice of deficiency, the applicant may request an extension

[Comment: If after one hundred eighty days of the date of a notice of deficiency the applicant has not responded to a notice of deficiency and the applicant has not requested an extension or an extension has not been granted, it is grounds for denial of the permit to install in accordance with rule 3745-520-312 of the Administrative Code.]

(2) Permitting authority procedures.

(a) The permitting authority may decline to modify a term or condition of a permit to install.

(b) When approving a request to modify a term or condition of a permit to install, the permitting authority shall follow the appropriate procedures set forth in rule 3745-500-120 of the Administrative Code and any other applicable procedures set forth in the Revised Code.

(H) Upon request from Ohio EPA or the approved board of health, the applicant shall submit additional and identically complete copies of the permit to install application.