

Regulations for Existing C&DD Facilities

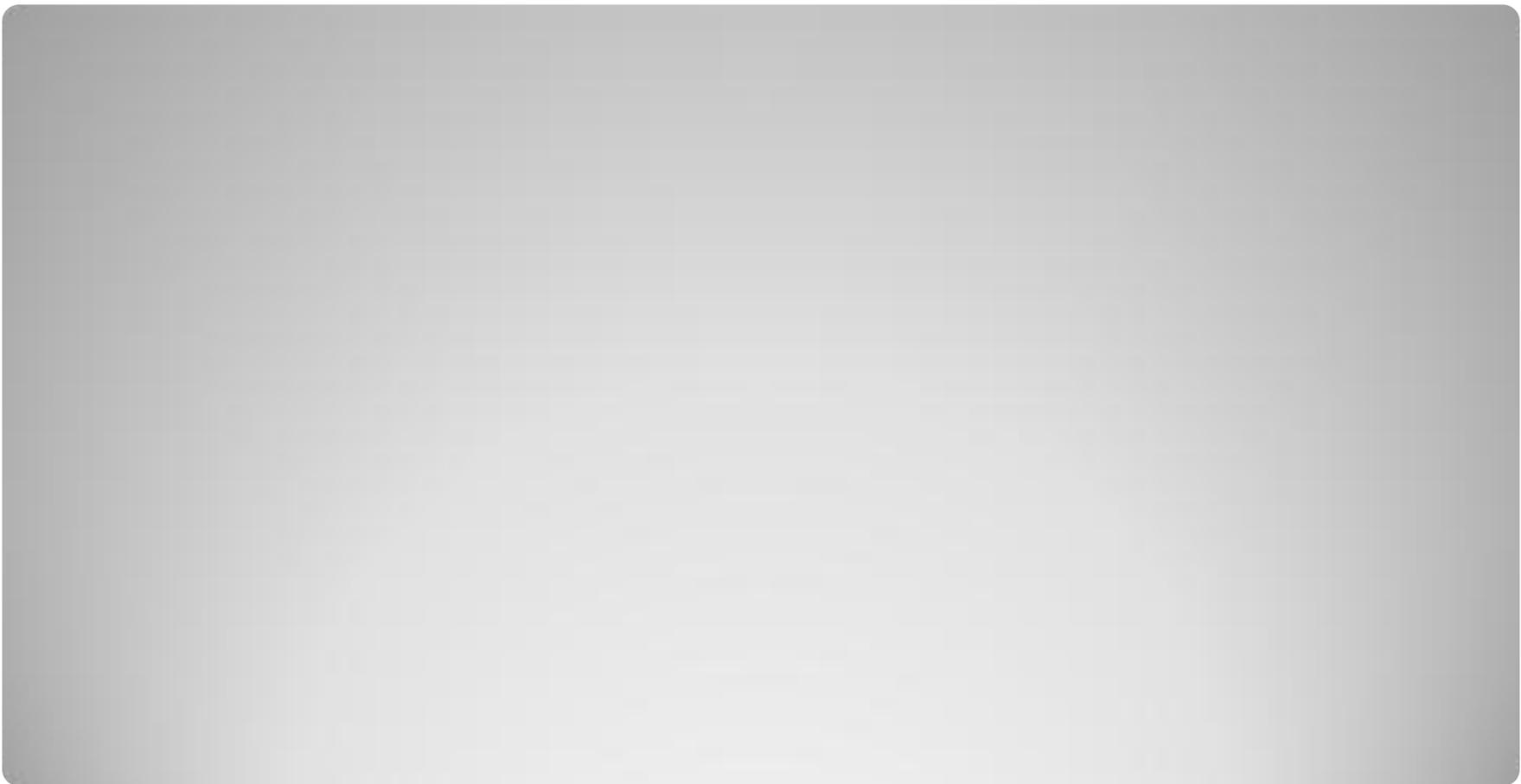
OAC 3745-400
Effective August 1, 2012

Objectives

Provide an overview of new and revised C&DD regulations for existing facilities

Discuss new and revised financial assurance requirements for existing facilities

Discuss environmental covenants and ODNR mining permits



Overview of regulations

Rules Pertaining to Existing C&DD Facilities

Rule	Title
3745-400-01	Definitions
3745-400-03	Facility exclusions
3745-400-04	Authorized, limited, and prohibited construction and demolition debris disposal methods
3745-400-05	Clean, hard fill
3745-400-06	Prohibited locations for construction and demolition debris facilities
3745-400-07	Facility design requirements and construction specifications
3745-400-08	Construction and final closure certification AMENDED – effective 8/1/12
3745-400-09	Site characterization
3745-400-10	Ground water monitoring
3745-400-11	Operation of facilities
3745-400-12	Final closure of facilities AMENDED – effective 8/1/12

Rules Pertaining to Existing C&DD Facilities

Rule	Title
3745-400-13	Financial assurance for construction and demolition debris facility final closure AMENDED – effective 8/1/12
3745-400-14	Wording of the financial instruments AMENDED – effective 8/1/12
3745-400-15	Modifications and exemptions
3745-400-16	Post-closure care of a construction and demolition debris facility NEW – effective 8/1/12
3745-400-17	Procedures for issuance of an order extending post-closure care period NEW – effective 8/1/12
3745-400-18	Financial assurance for post-closure care of construction and demolition debris facilities NEW – effective 8/1/12
3745-400-20	Leachate sampling and analysis and additional requirements to monitor ground water for leachate parameters NEW – effective 1/1/13
3745-400-21	Construction and demolition debris facility – leachate parameter list NEW – effective 1/1/13
3745-400-25	Five year transition for final closure or post-closure care financial assurance for construction and demolition debris facilities NEW – effective 8/1/12

OAC Rules – Amended Regulations

3745-400-08

Construction and final closure certification

3745-400-12

Final closure of facilities

3745-400-13

Financial assurance for construction and
demolition debris final closure

3745-400-14

Wording of the financial instruments

OAC Rules – New Regulations

3745-400-16

Post-closure care of a construction and demolition debris facility

3745-400-17

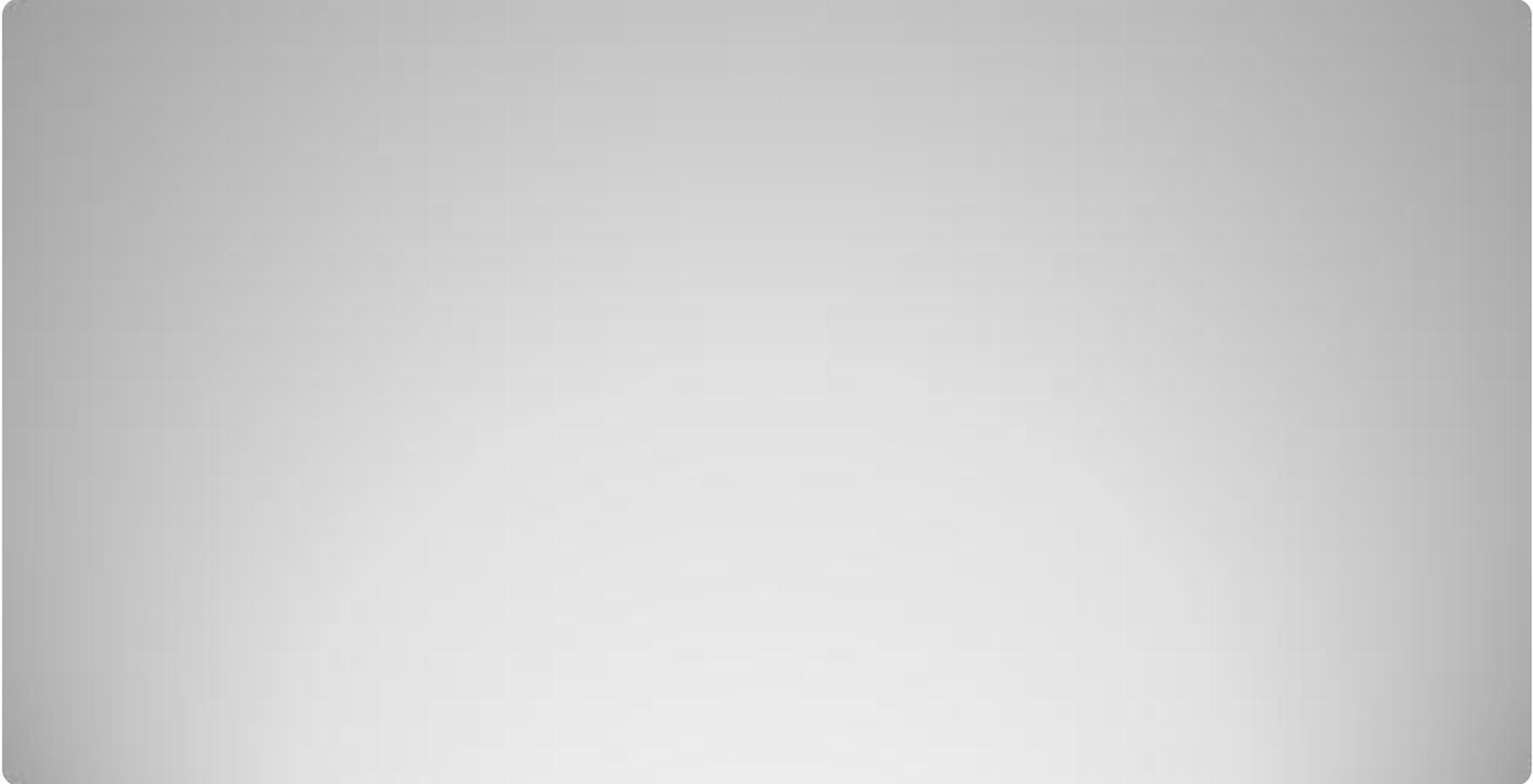
Procedures for issuance of an order extending the post-closure care period

3745-400-18

Financial assurance for post-closure care of construction and demolition debris facilities

3745-400-25

Five year transition for final closure and post-closure care financial assurance for construction and demolition debris facilities



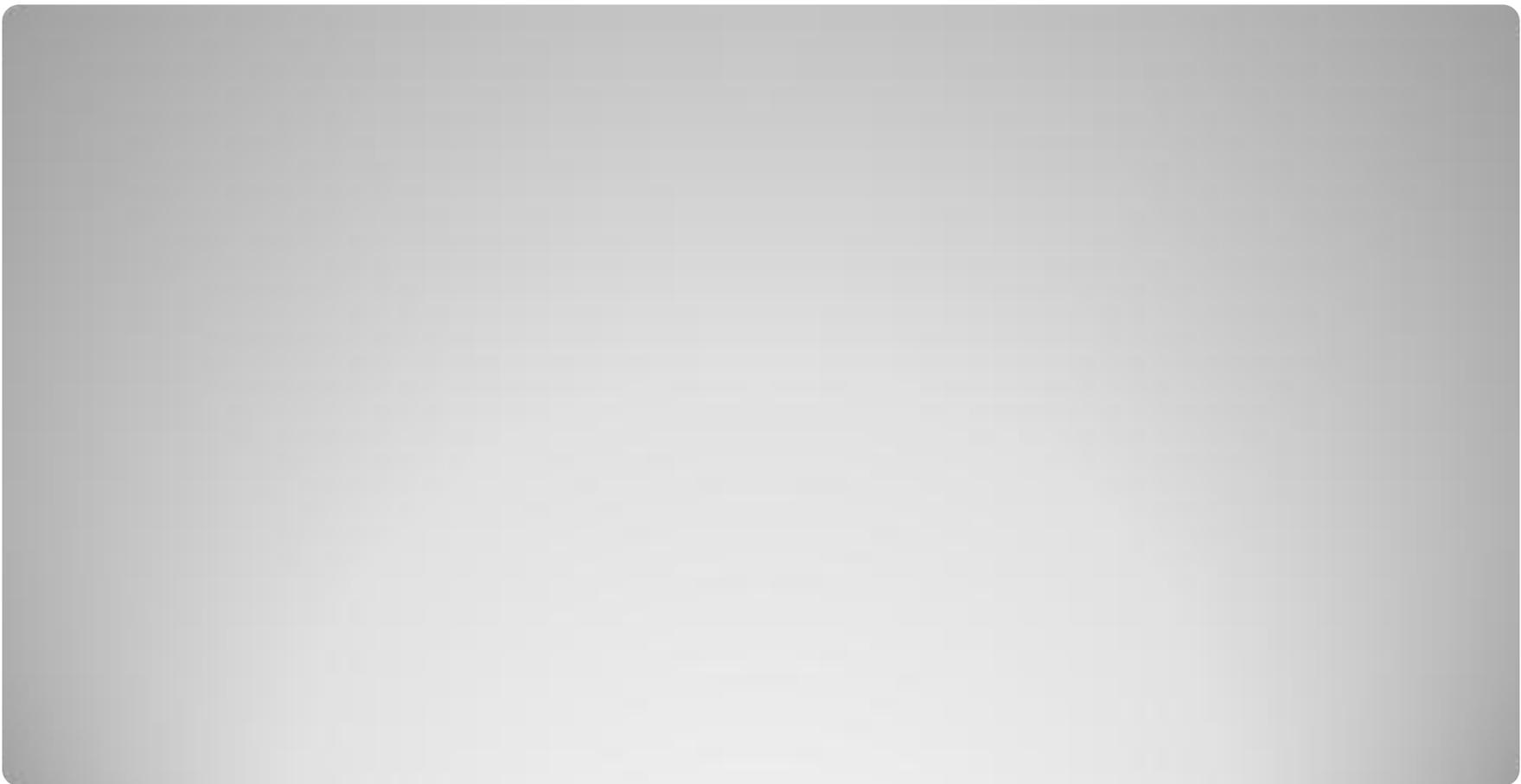
OAC Rule 3745-400-08

Construction and final closure certification

- “Engineered components”
- Release of final closure financial assurance by licensing authority upon construction certification is now in OAC Rule 3745-400-13(A)(6)
- Establishment of complete and dense vegetative cover does not need to occur before final closure certification. Seeding to establish vegetative cover shall be completed before submittal of final closure cert. report.

Revised language

OAC Rule 3745-400-08



OAC Rule 3745-400-12

Final closure of facilities

- Performance standards during final closure
 - Minimize the need for maintenance
 - Prevent failure of final slopes
 - Protect public health, safety, & the environment
 - Do not create a nuisance or health hazard
 - Do not cause air or water pollution
 - Minimize: erosion, infiltration of surface water; production of leachate, production of H₂S, other gases, odors, accumulation and runoff of contaminated surface water

Final closure activities

OAC Rule 3745-400-12(A)

- New activities:
 - Comply with OAC Rules 3745-400-11(I), (K), (M) to (S)
 - Comply with compliance disclosure requirements when employing new key employee if required by ORC Section 3714.052
 - Not later than 90 days after mandatory final closure, cease leachate recirculation

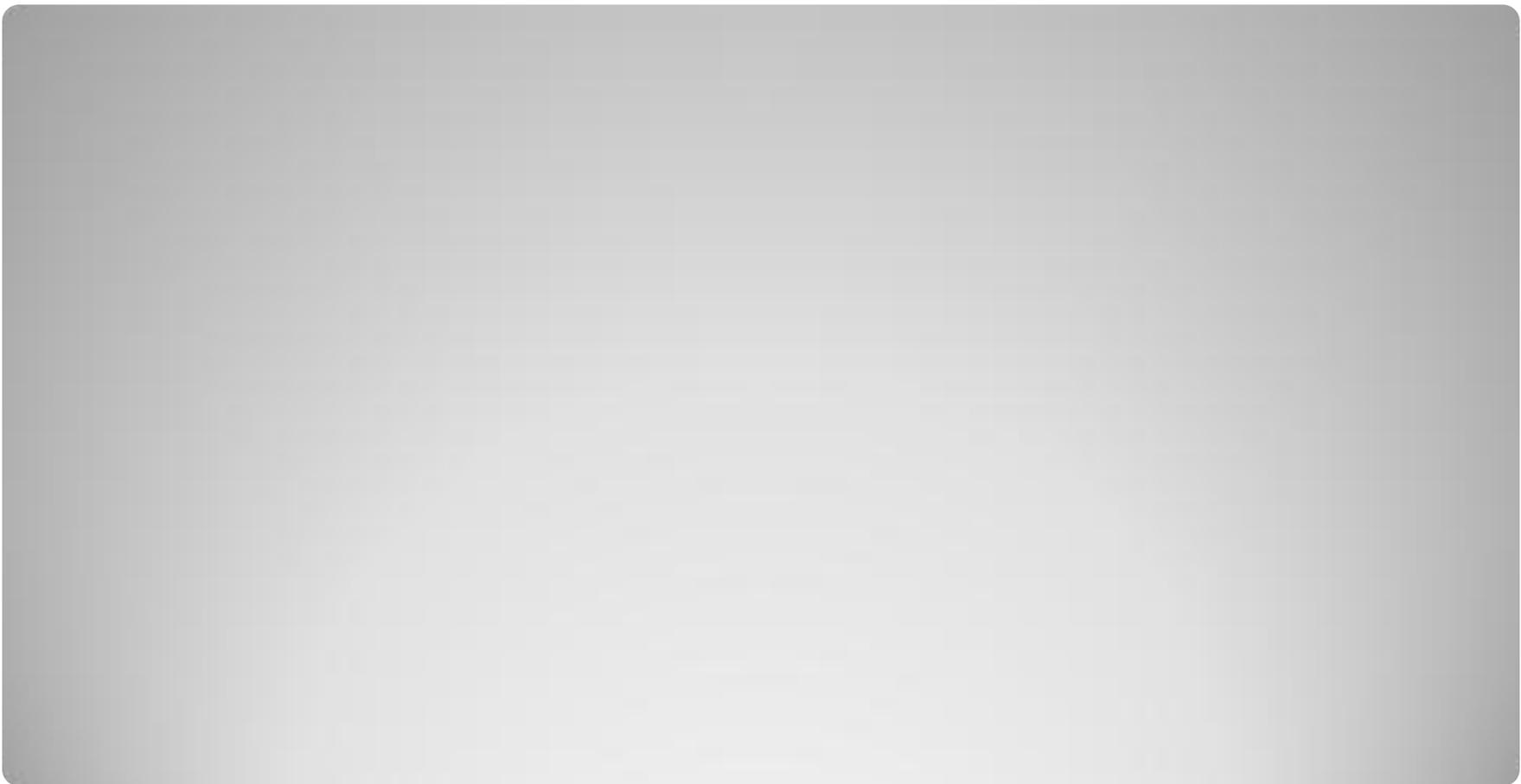
Final closure activities

OAC Rule 3745-400-12

- New activities:
 - Submit updated final closure and post-closure care financial assurance documentation every year. If no change in location and no increase in acreage of ALDA, may adjust cost estimates for inflation.
 - Retain authorizing documents and daily logs at acceptable location
 - Maintain records and reports generated during final closure at acceptable location
- Post-closure care begins when final closure is deemed complete

Final closure activities

OAC Rule 3745-400-12



OAC Rule 3745-400-16

Post-closure care of a construction and demolition debris facility

- Any facility that has accepted C&DD in 2007 or later has PCC obligation
- Post-closure care activities begin once the licensing authority concurs with the final closure certification report
- Post-closure care period is **five years** unless:
 - Ceased acceptance of C&DD in 2006-No PCC
 - Ceased acceptance of C&DD in 2007-One year
 - Licensing authority extended PCC

Post-closure care activities – Overview

OAC Rule 3745-400-16

- Comply with the following provisions of 400-11:
 - Any orders or authorizing documents
 - Maintain integrity of engineered components
 - Control fire
 - Leachate outbreaks
 - Leachate system management
 - Surface & ground water management
 - GW monitoring and leachate sampling & analysis
 - Financial assurance for PCC

Post-closure care activities

OAC Rule 3745-400-16

- Comply with the following:
 - Disclosure requirements when employing new key employee if required by ORC Section 3714.052
 - Establish and maintain dense vegetative cover
 - Maintain and comply with all applicable air and surface water permits
 - Limit access to facility
 - Annually submit updated PCC financial assurance
 - Retain all authorizing documents and daily logs at a location acceptable to LA
 - Maintain all records for final closure and PCC

Post-closure care activities

OAC Rule 3745-400-16

- Three year post-closure care evaluation report
 - Assessment of integrity and long term stability of cap system
 - Summary of changes to leachate quality and quantity
 - Rate of leachate generation and quantity of leachate generated
 - Assessment of H₂S generation and emissions
- When reviewing this report, think about if the need for extending PCC period is appropriate

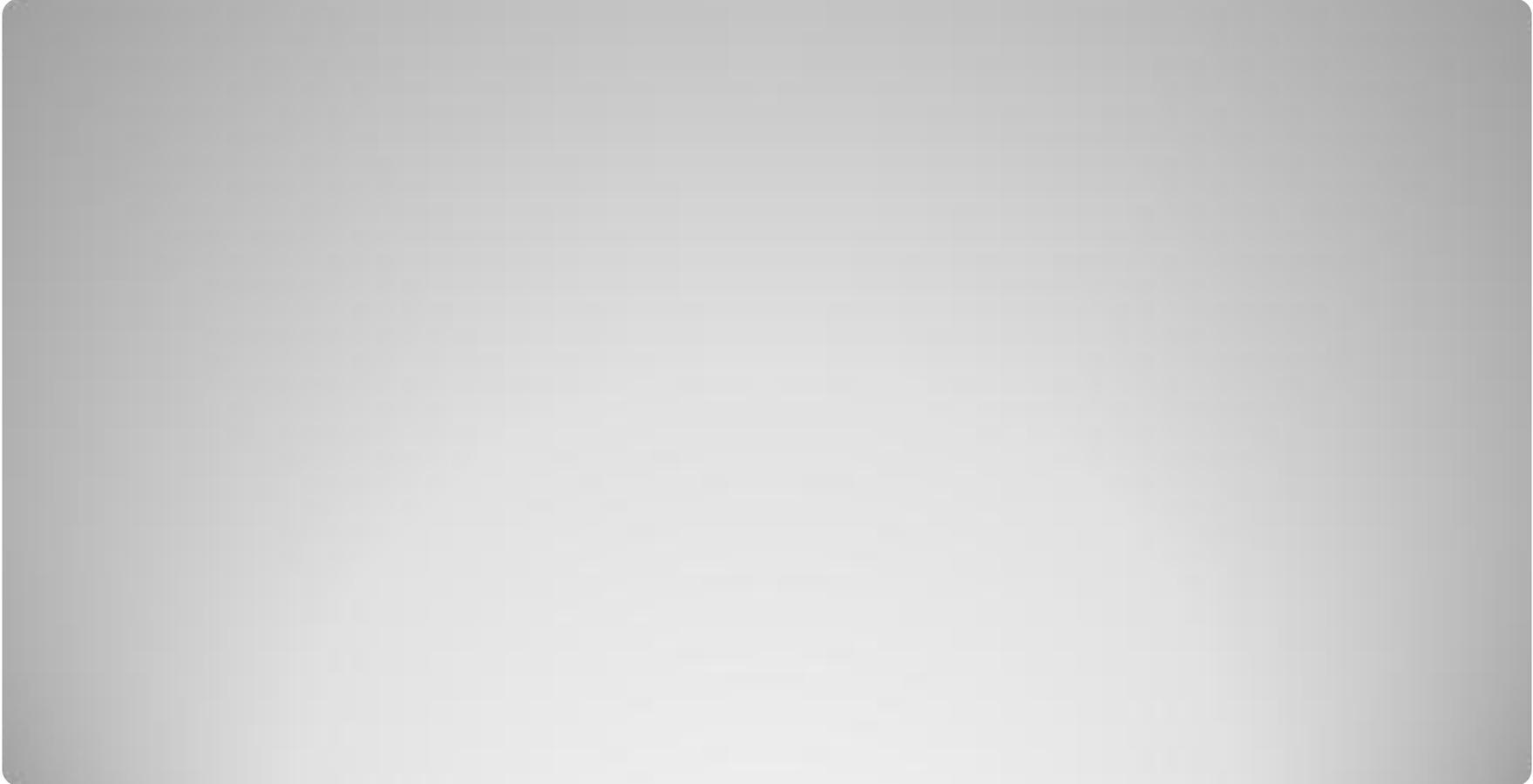
Post-closure care activities

OAC Rule 3745-400-16(E)(8)

- Post-closure care certification report
 - Submit in last 30 days of PCC period
 - Certify that O/O has completed PCC
 - Include information on the status of the GW monitoring wells. Shall identify anticipated time frame for well abandonment
 - Status of any other environmental monitoring and timeframe for cessation of monitoring

Post-closure care activities

OAC Rule 3745-400-16(F)



OAC Rule 3745-400-17

Procedures for issuance of an order extending the post-closure care period

- PCC period may be extended by order of the approved board of health, the director, or a court:
 - if the facility is impacting public health, safety, or the environment, or
 - if GW assessment or corrective measures are required to be conducted.
- PCC financial assurance may be extended if PCC is extended

Issuance of order extending PCC period

OAC Rule 3745-400-17(A)

- Contents of order:
 - Location of facility
 - Effective date
 - Description of conditions that cause this order to be implemented
 - Length of extended PCC period
 - Extension of time that PCC FA is required to be maintained
 - At least 45 days for revised PCC cost estimate and at least 90 days for re-establishment of FA

Issuance of order extending PCC period

OAC Rule 3745-400-17(B)

- Contents of order, cont'd:
 - Terms or conditions
 - Termination date or provisions
 - Description of PCC activities that are required to be continued during the extended PCC period

Issuance of order extending PCC period

OAC Rule 3745-400-17(B)

Questions?



OAC Rules 3745-400-13 & 18

Financial assurance for construction and demolition debris facility
final closure and post-closure care

- Based on third party cost estimate for final closure and post-closure care
- May delay funding of some areas until construction certification is submitted
- FA amounts may be reduced upon submittal of construction certification for engineered components of final cap
- Five year transition period

New to the financial assurance rules

- Final closure cost estimate
 - Itemized written cost estimate
 - Third party estimate
 - Closure activities in OAC Rule 3745-400-12
 - Cost estimate not less than \$13,000/acre for areas that have been or are being used for disposal
- Calculated from FACE document and submitted with license application

FA for final closure

- PCC cost estimate
 - Itemized written cost estimate
 - Third party estimate
 - Post-closure care activities in OAC Rule 3745-400-16
- Calculated from FACE document and submitted with license application or annually during PCC period

FA for PCC

- Final closure – calculated cost estimate
- Post-closure care – calculated cost estimate
- Unless the owner/operator is complying with the five year transition (OAC Rule 3745-400-25)

What to fund?

- Trust Fund
- Surety Bonds*
 - Surety bond guaranteeing payment into a standby trust fund
 - Surety bond guaranteeing performance of final closure/post-closure care
- Letter of Credit*
- Insurance

*A standby trust agreement must be established with these mechanisms

How to fund?

OAC Rule 3745-400-14

- For licensed facilities, the O/O shall fully fund the final closure and post-closure care cost estimates not later than **30 days** after license issuance
- However, the O/O may choose to delay funding of the portion of unconstructed ALDA until submittal of the construction certification report
- If the O/O has chosen the five year transition, fund in accordance with OAC 3745-400-25

When to fund?-During operations

Facility boundary

Limit of Debris Placement

ILDA:
filled &
capped

Constructed ALDA:

- Contains debris & is uncapped
- In use
- Not yet in use but construction certified

Unconstructed ALDA: Use planned but construction not certified yet

ILDA: no debris & Not constructed

TOTAL ALDA

Include in post-closure care cost estimate

Include in closure and post-closure care cost estimate

May delay funding of unconstructed ALDA until submittal of construction certification

Not included in closure and post-closure care cost estimate

Example ALDA-ILDA

- Not later than each anniversary of ceasing to accept debris for disposal during final closure, the O/O shall submit final closure and post-closure care financial assurance documentation which includes the cost estimates and FA instruments. The final closure and post-closure care cost estimates shall be revised to account for changes at the facility and, at a minimum, adjusted for inflation

When to fund?-During final closure

- Not later than each anniversary of commencing post-closure, the O/O shall submit post-closure care financial assurance documentation which includes the cost estimate and FA instruments. The post-closure care cost estimate shall be revised to account for changes at the facility and, at a minimum, adjusted for inflation

When to fund? – Post-closure care

- If there are any deficiencies in the FA documentation or the cost estimates, the licensing authority shall notify the applicant no later than 30 days after receipt of the license application
- LA may adjust the amount of FA when issuing license, but must give their rationale if the closure FA exceeds \$13,000/acre

Notification of deficiencies

OAC Rule 3745-400-13(A)(5)

Prior to final closure certification

- A request for reimbursement from or reduction of FA shall include:
 - Documentation of approval of construction certification report
 - Amount of request
 - Recalculated cost estimate
 - Comparison of recalculated cost estimate to amount of remaining FA
- Amount of FA remaining shall not be less than the cost estimate

Release of final closure funds-submitting request

OAC Rule 3745-400-13(A)(6)

- After final closure certification
 - May request and receive authorization for reimbursement of all remaining funds or termination of the FA after facility final closure is deemed complete

Release of final closure funds- submitting request

OAC Rule 3745-400-13(A)(6)

Prior to completion of PCC

- A request for reimbursement from or reduction of FA shall include:
 - Amount of request based on work completed
 - Recalculated cost estimate
 - Comparison of recalculated cost estimate to amount of remaining FA
- Amount of FA remaining shall not be less than the cost estimate

Release of PCC funds-submitting request

OAC Rule 3745-400-18(A)(5)

- After completion of PCC
 - May request and receive authorization for reimbursement of all remaining funds or termination of the FA after facility PCC has been completed

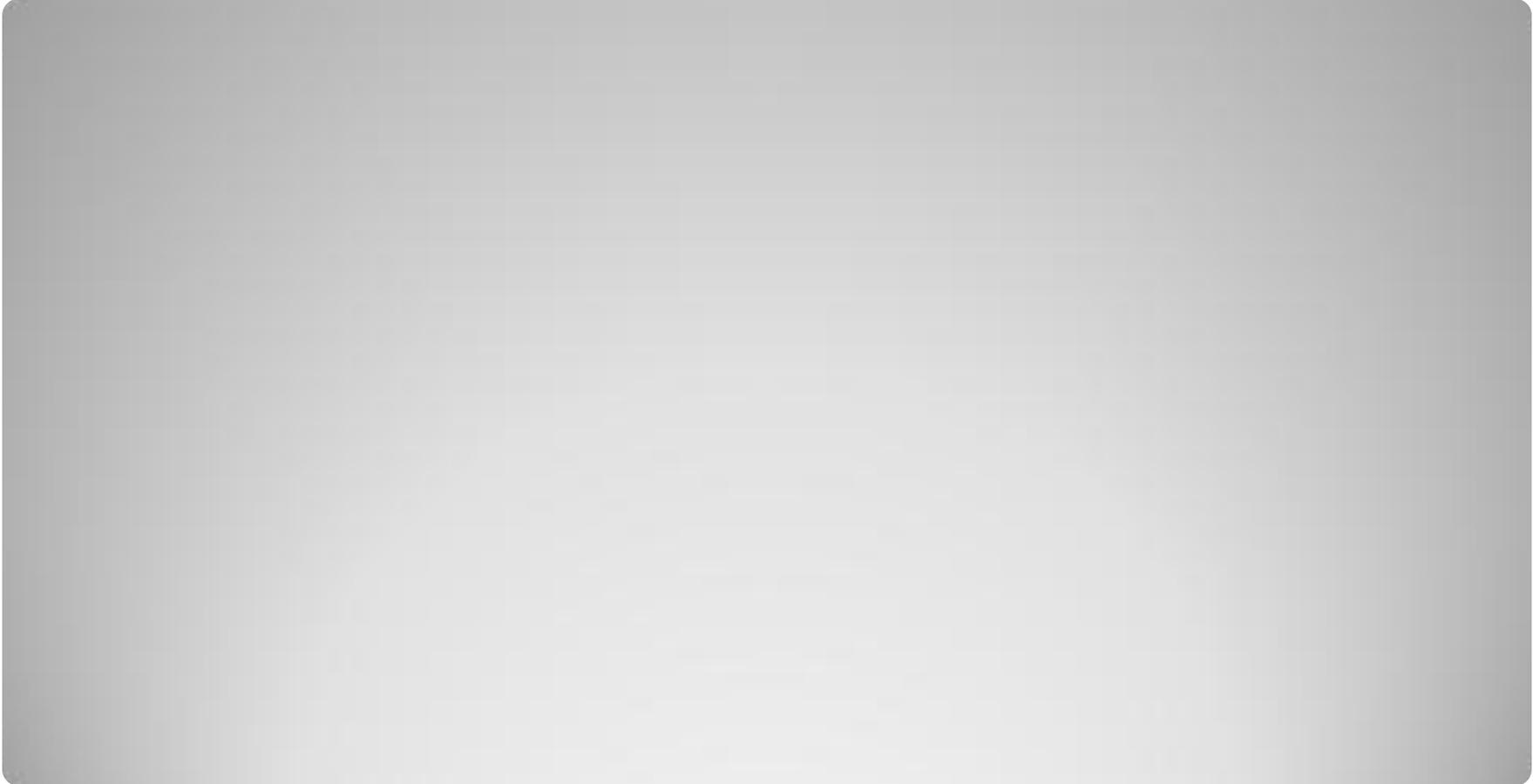
Release of PCC funds-submitting request

OAC Rule 3745-400-18(A)(5)

- LA shall make a determination not later than 90 days after receipt of a complete request

Release of final closure and PCC funds-licensing authority timeframe

OAC Rule 3745-400-13(A)(6) & 3745-400-18(A)(5)



OAC Rule 3745-400-25

Five year transition period for final closure and post-closure care
financial assurance for construction and demolition debris facilities

- Qualify
- Give notice-annually in license, otherwise exit
- What to fund
- When to fund
- Exiting transition
 - Choose to exit by not giving notice
 - Ineligible, includes failure to give notice
 - Fully fund within 30 days

Five year transition

OAC Rule 3745-400-25

- Qualifications
 - Hold a 2012 license
 - Sufficient licensed disposal area to maintain operation throughout the five year transition

Five year transition

OAC Rule 3745-400-25

- Notification
 - Submit the notice with the 2013 license application
 - Notice has to be signed in accordance with rule
 - Notice shall include:
 - Declaration to utilize and comply with the five year transition period
 - Demonstration of sufficient licensed disposal area to maintain operation throughout the five year transition
 - Calculations and transition amounts for final closure and post-closure care

Five year transition

OAC Rule 3745-400-25

- Key funding requirements during transition
 - Always maintain previous year's funded FA
 - Fund a percentage of the total cost estimates by the end of each license year, but you can delay funding the unconstructed ALDA cost estimate into future years
 - Repeat above for five years

Five year transition

OAC Rule 3745-400-25

3745-400-25

Five year transition for final closure and post-closure care financial assurance for construction and demolition debris facilities

Five Year Transition Schedule

12/31/13	→	20%
12/31/14	→	40%
12/31/15	→	60%
12/31/16	→	80%
12/31/17	→	100%

Voluntary
A C&DD facility licensed for the 2012 license year may utilize the five year transition period.

Financial assurance amounts from the previous license year must be fully funded thirty days after the issuance of the license. The O/O then has until the December 31st date to increase funding for that year's twenty percent.

- Making Rule 25 work for you

Control
cost
estimates

Reduce
cost
estimates

Delay
funding

- 2013 base ALDA
- What acreage is needed for five years, but not much more
- Construct cap and obtaining cap construction certification
- Funding of unconstructed ALDA can be delayed from year to year

Five year transition

OAC Rule 3745-400-25

- Exiting the five year transition rule
 - By choice
 - Ineligible
 - No longer meet the qualifications (maintain sufficient licensed disposal area to operate during transition period)
 - Failed to give annual notice in the license application
 - Not maintained a license for the current license year
 - Not maintained compliance with this rule

Five year transition

OAC Rule 3745-400-25

2013 C&DD License Application

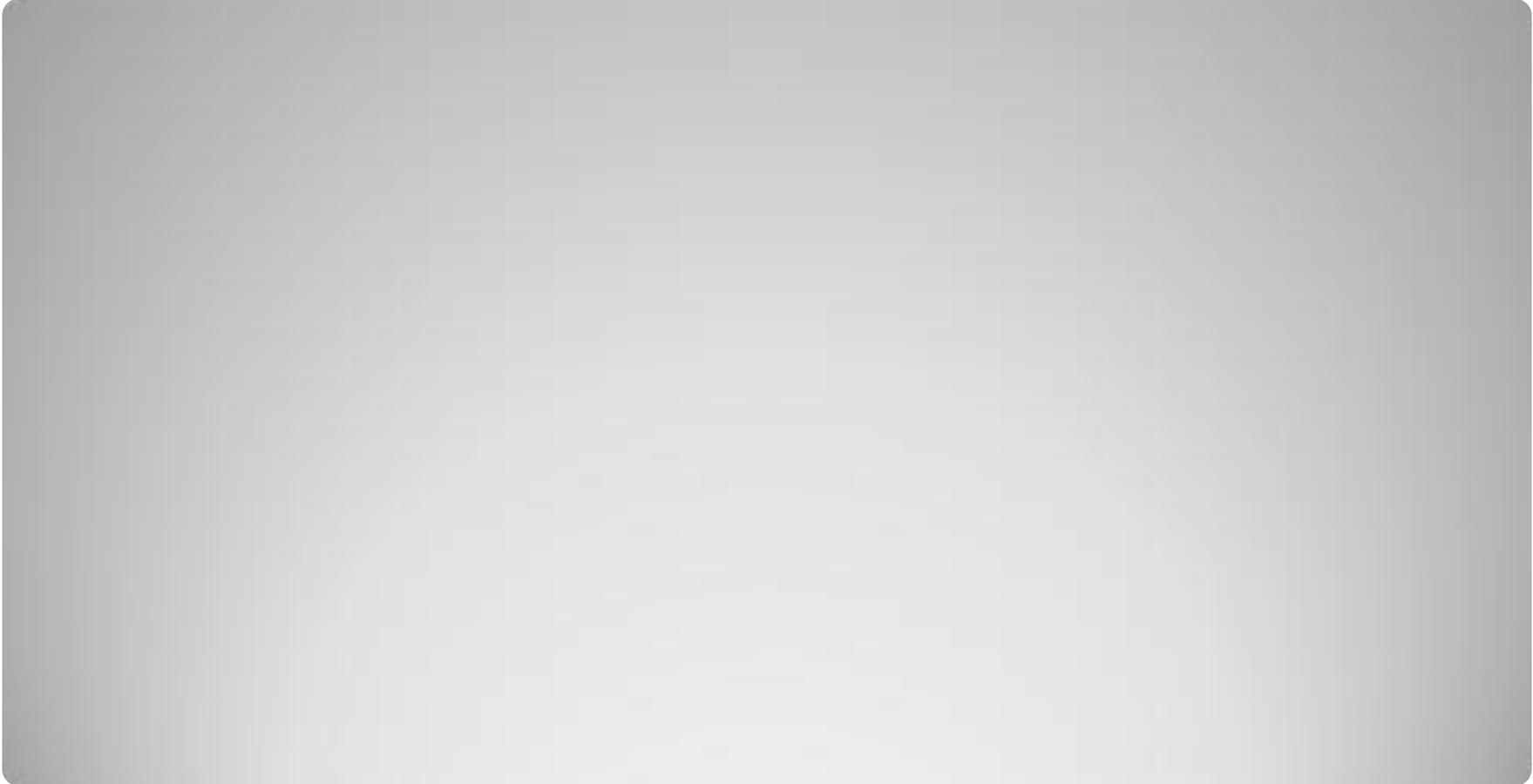
- Revised forms and tabs
- Drafts-want comments by July 15
- Will post on web site so they can be printed instead of mailed
- Can request to have a hard copy mailed
- Visit our [web site](#) to get copies

2013 C&DD License Application

- Tool for documenting cost estimates
- Draft-available on web site
- Will post recorded training on the tool on the [web site](#) soon

C&DD FACE Spreadsheet

Questions?



Environmental Covenants

Soils in the cost estimate: Default is SOILS NOT MADE AVAILABLE. There is an option of SOILS MADE AVAILABLE (license applicant owned soil made legally available to licensing authority)

SOILS MADE LEGALLY AVAILABLE option must be documented in the cost estimate

License applicant must have ownership of soil and identify ownership of the property holding the soil

Survey and record area of the soil

Prequalify the soil

Legally ensure availability of soil for licensing authority's use for closure/post-closure

Legally ensure availability of soil for licensing authority's use for closure/post-closure

License applicant owns the soil and soil is prequalified

The license applicant as owner of the soil and the owner of the land holding the soil will need to legally ensure that licensing authority may access, remove, and use soil for closure/post-closure activities should the license applicant fail to conduct those activities.

Legal restrictions ensuring the soil is kept and maintained for the intended purpose and legally protected against other claims (mortgages, liens, bankruptcy).

ENVIRONMENTAL COVENANT is one type of consensual legal mechanism that can ensure availability of soil for the licensing authority's use. Template available at our [web site](#)

- OAC 3745-400-13(A): "...an alternative option that will guarantee funding for final closure."
- Focusing on an alternative option to guarantee funding for soils to be used in final closure.
- Have borrow areas or purchased soils. How can we guarantee the State or Health Department use of these soils, if necessary, for closure?

Environmental Covenants

- Established under R.C. Chapter 5301
- DMWM willing to recommend to Director and Health Departments that if an acceptable EC is entered into with respect to soils set aside for closure, the existence of the EC can be viewed “as an acceptable alternative option” to guarantee the availability of soils for final closure.
- Proceeding on trial basis.

Environmental Covenants

- **Purpose Clause**

- **Parties to EC:** “Owner” of Property; “Holders” (C&DD Facility Owner and Operator); Ohio EPA
- **Background Information:** “In light of the execution of this Environmental Covenant, the owner and operator of the [C&DD] Facility will not need to obtain financial assurance in one of the forms described in [OAC] Rules 3745-400-13(B) to (G) for the costs to a third party to purchase soils....”

Environmental Covenants
Organization of the EC

- **Key Definitions**

- **“Property”**: tract of real property defined by legal description that includes access
- **“Owner”**: owner of the Property; not necessarily the same as the owner of the C&DD Facility
- **“Holders”**: Party with an interest in the Property (see R.C. 5301.81); owners and operators of the C&DD Facility are “holders” to the extent they are not “owners”

Environmental Covenants
Organization of the EC

- **Present Condition of the Property**
 - **Need to supply:** deed to tract upon which Property is located; survey of Property; title search for tract upon which Property is located; photographs of Property showing current condition; and topographical map of Property
 - **Intent is to limit future use of Property**

Environmental Covenants
Organization of the EC

- **Use Limitations (Paragraph 6 of EC template)**
- **Topics include:** construction on the Property; industrial or commercial activity; drilling or mining activity; grading or excavating activity; filling or placement of solid or liquid materials on the Property; storage and disposal of wastes on the Property; and utilities

Environmental Covenant Organization of the EC

- **R.C. 5301.84:** parties to an EC can agree to be bound by obligations assumed in the EC
- **Some important assumed obligations:**
See paragraphs 7, 8, 9, and 19

Environmental Covenants

Organization of the EC

- **R.C. 5301.86:** a person that has an interest in the Property can agree to subordinate that interest to the EC
- **Subordination clause:** see paragraph 17 of the EC template
- **ALL parties with an interest in the Property MUST agree to subordinate their respective interests otherwise DMWM will not recommend that the EC be agreed to**

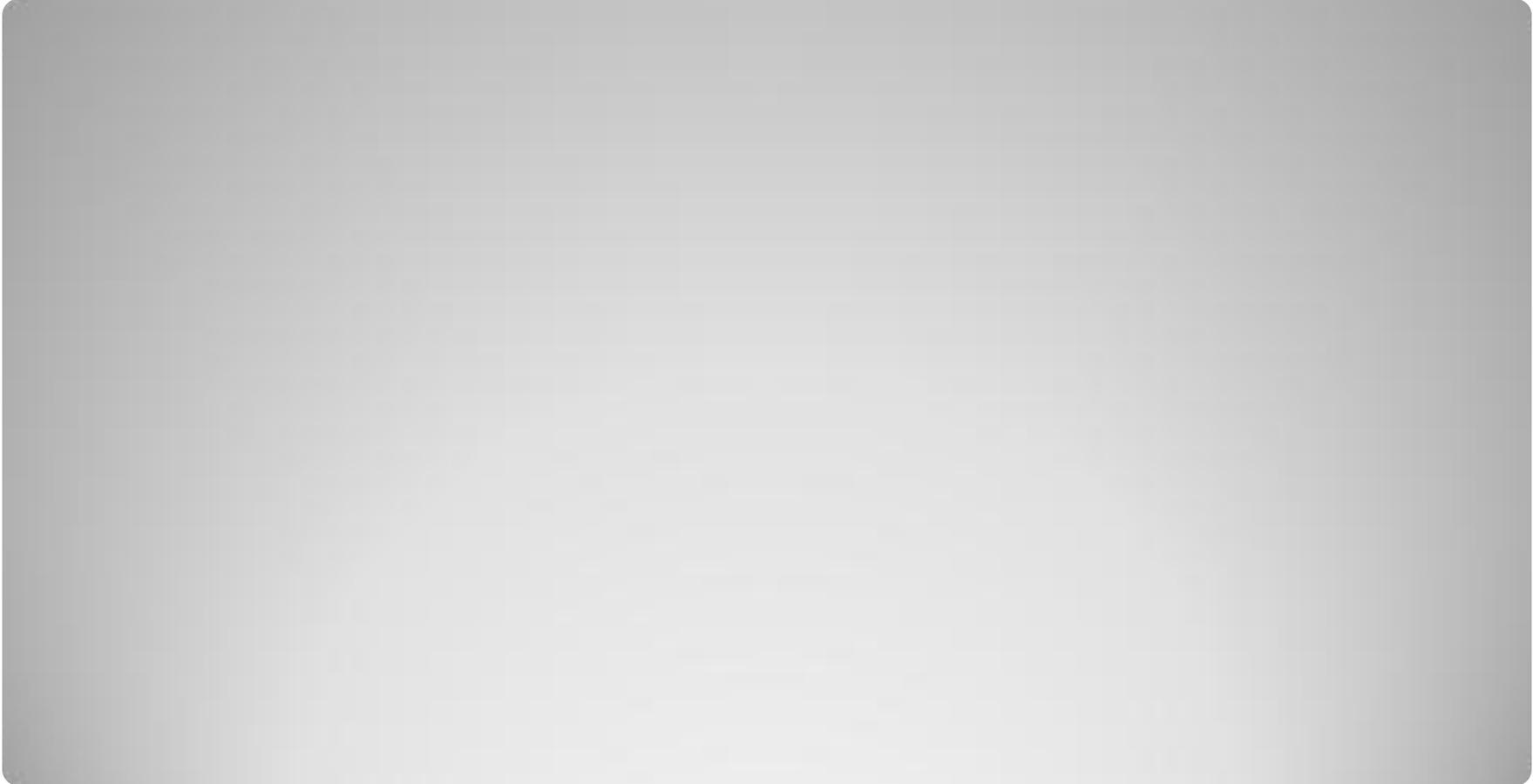
Environmental Covenants

Organization of the EC

- EC is a legal document affecting significant property rights
- EC must be recorded properly (see R.C. 317.08) and complied with or alternative financial assurance will be required (see paragraph 8 of the EC template and license terms and conditions)

Environmental Covenants
Consult an Attorney

Questions?



ODNR Mining Permits

For borrow areas associated with C&DD facilities, a surface mine permit from the Ohio Department of Natural Resources, Division of Mineral Resources Management **IS REQUIRED FOR A BORROW AREA IF:**

- The borrow area **DOES NOT** fall within one of the ORC Chapter 1514.01 exemptions
- The borrow area on the C&DD facility **IS BEING USED** as a dual use borrow area - that is, material from the borrow area is being used on the fill site as well as being hauled down the road
- Reclamation of the borrow area on the C&DD facility **IS NOT COVERED** under ORC Chapter 3714 financial assurance and an ORC Chapter 5301 environmental covenant for a borrow area

ODNR Mining Permit Required

A mining permit is not required for borrow areas that fall within one of the exemptions to a surface mine permit as outlined in Chapter 1514.01 of the Ohio Revised Code.

- test or exploration boring;
- mining operations carried out beneath the surface by means of shafts, tunnels, or similar mine openings;
- the extraction of minerals, other than coal, by a landowner for the landowner's own noncommercial use where such material is extracted and used in an unprocessed form on the same tract of land;
- the extraction of minerals, other than coal, from borrow pits for highway construction purposes, provided that the extraction is performed under a bond, a contract, and specifications that substantially provide for and require reclamation practices consistent with the requirements of this chapter;

ORC Chapter 1514.01(A)

Exemptions

A mining permit is not required for borrow areas that fall within one of the exemptions to a surface mine permit as outlined in Chapter 1514.01 of the Ohio Revised Code.

- *the removal of minerals incidental to construction work, provided that the owner or person having control of the land upon which the construction occurs, the contractor, or the construction firm possesses a valid building permit;*
- *the removal of minerals to a depth of not more than five feet, measured from the highest original surface elevation of the area to be excavated, where not more than one acre of land is excavated during twelve successive calendar months;*
- routine dredging of a watercourse for purely navigational or flood control purposes during which materials are removed for noncommercial purposes;

ORC Chapter 1514.01(A)

Exemptions

Surface mining permits last for fifteen years and may be renewed.

General requirements for a surface mining permit:

- **Mining permit application (when ready to be issued, to be submitted in triplicate)**
- **If more than 10,000 tons of material is to be mined in a year, a mining application map, prepared by a certified engineer and/or surveyor licensed in Ohio to be submitted in triplicate**
- **Cross-sections (in at least two perpendicular directions) showing the current landform and the proposed final landform after mining to be submitted in triplicate**

ODNR Mining Permit

General requirements for a surface mining permit (continued):

- **A sworn notarized statement from the applicant that during the term of the surface mine permit, the applicant will comply with all applicable zoning resolutions or ordinances that are in effect at the time of the application unless the resolutions or ordinances subsequently become invalid during the term of the permit, or renewal.**
- **For a tract of land to be mined where the surface and mineral rights are not owned by the applicant, submit a copy of a lease, deed, or other instrument (such as a Lease/Deed Affidavit) that authorizes entry upon the land by the applicant or the applicant's agent(s).**

ODNR Mining Permit

General requirements for a surface mining permit (continued):

- **A report of the results of test borings that the operator has conducted on the area or otherwise has readily available, including, to the extent that the information is readily available to the operator, the nature and depth of overburden and material underlying each mineral or coal deposit, and the thickness and extent of each mineral or coal deposit. All information relating to test boring results submitted to the chief shall be kept confidential, and not made a matter of public record, except that the information may be disclosed by the chief in any legal action in which truthfulness of the information is material.**

ODNR Mining Permit

General requirements for a surface mining permit (continued):

- **A statement by the applicant certifying that the applicant has communicated with the county engineer of the county in which the proposed surface mine operation will be located regarding any streets and roads under the county engineer's jurisdiction that will be used by vehicles entering and leaving the proposed surface mining operation. This statement can be in the form of a letter sent by certified mail to the county engineer.**
- **Certificate of public liability insurance issued by an insurance company authorized to do business in this state in the minimum amount of at least \$ 100,000 single occurrence of bodily injury and property damage and \$ 300,000 minimum amount of coverage for multiple occurrence of bodily injury and property damage.**

ODNR Mining Permit

The following additional items may be required with a surface mine permit:

- **Public Notice:** The applicant will be required to submit a copy of the applicant's advertisement required to be published in a newspaper of general circulation in the area as directed by the chief if the application is in an area where either: there is no zoning or the applicant received zoning variance or conditional use more than 365 before the submittal of the application. If zoning allows mining or the applicant received a zoning variance or conditional use within 365 days of submittal, no publication will be required.
- If the applicant plans to mine within 50 feet of the boundary of an adjoining property, a copy of a "Consent to Mine Within 50 Feet of An Adjacent Landowner" form will be required that has been executed between the applicant and the landowner. Original signature of the adjacent landowner is required.

ODNR Mining Permit

The following additional items may be required with a surface mine permit (continued):

- **If the applicant plans to mine within either 50 feet or store overburden within 50 feet of the right-of-way of an adjoining road, a copy of a road permit, executed by the appropriate road authority.**
- **For any applicant whose operation may result in dewatering, a compilation of data in form that is prescribed by the chief and that is suitable to conduct ground water modeling in order to establish a projected cone of depression (10- foot drawdown map).**
- **For any applicant that plans to utilize explosives in the mining process, a blasting plan is required. Blasting is required to be conducted by a certified blaster.**

ODNR Mining Permit

The costs associated with a mining permit include:

- **An application fee of \$ 500 to apply for a mining permit to be assessed when the mining permit is approved but must be posted before the mining permit is issued.**
- **A non-refundable acreage fee, in the amount of \$ 75 per acre for each acre proposed to be mined.**
- **Bond in the minimum amount of \$ 10,000 that can be applied at \$ 500 per acre for up to 20 acres before additional bond in the amount of \$ 500 per acre will be assessed. Bond can be posted in either of the following four ways: surety bond, cash bond, letter of credit, or certificates of deposit.**

ODNR Mining Permit Costs

The costs associated with a mining permit include (continued):

- **Each year, there is an annual filing fee of \$ 500 for mining permits that extract more than 10,000 tons of minerals. For mining permits that extract less than 10,000 tons of minerals, a \$ 250 annual filing fee.**
- **Mining permits are issued for 15 years and can be renewed. The renewal fee is \$ 1000 in addition to the year 15 annual filing fee of either \$ 500 or \$ 250 (depending on the amount of minerals mined in the preceding year).**
- **There is also the cost of severers license from the Ohio Department of Taxation. Please check with taxation on the license and license fee. The severance tax is 2 cents per ton for sand and gravel as well as limestone, and 1 cent per ton of clay.**

ODNR Mining Permit Costs

If a surface mine permit is required, **contact** the ODNR Mineral Resources Management Industrial Minerals Inspector nearest their C&DD facility.

Lebanon, Ohio office (SW Ohio area)

Hamilton, Butler, Warren, Clermont, Preble, Darke, Shelby, Miami, Champaign, and Logan Counties **call Rich Pennington (513) 933-6717**

Franklin, Madison, Union, Fairfield, Pickaway, Montgomery, Clark, Greene, Fayette, Clinton, Highland, Brown and Adams Counties **call Mike Mitchell (513) 933-6718**

Findlay, Ohio office (NW Ohio area):

Lucas, Wood, Ottawa, Sandusky, Fulton, Williams, Defiance, Henry, Paulding, Putnam, Hancock, Van Wert, Allen, Hardin, Mercer, Auglaize, Seneca, and Wyandot Counties **call Ben Hoffman (419) 429-8304**

Contacts - ODNR Mining Permit

Mt. Vernon, Ohio office (North-central Ohio area):

Knox, Licking, Holmes, Delaware, Morrow, Marion, Crawford, Erie, Huron, Richland, Lorain, Ashland, and the western portion of Wayne, Coshocton, and Muskingum Counties **call Troy Nethers (740) 392-4499**

Salem, Ohio office (NE Ohio office)

Cuyahoga, Lake, Geauga, Ashtabula, Trumbull, Mahoning, Portage, Summit, Medina, the eastern half of Wayne, the northern half of Stark and Columbiana Counties **call Paul Greco (330) 222-1527**

Jackson, Ohio office (SE Ohio area):

Jackson, Pike, Meigs, Athens, Perry, Hocking, northern half of Gallia and the western half of Ross and Scioto Counties **call Gary Green (740) 286-6411**

Lawrence, Vinton, the southern half of Gallia, the eastern half of Ross and Scioto Counties **call Jay Martin (740) 286-6411**

Contacts - ODNR Mining Permit

**Cambridge and New Philadelphia, Ohio offices (Eastern Ohio area):
Guernsey, Morgan, Washington, Noble, Monroe, Belmont, Harrison,
Jefferson, Tuscarawas, Carroll, the eastern half of Muskingum and
Coshocton, and the southern half of Stark and Columbiana counties **call**
Jason Leach (730) 439-9709**

Contacts - ODNR Mining Permit

The time frame necessary to obtain a surface mining permit is dependent upon several factors, including:

- **Whether the proposed mine site is zoned for the mining activity or if the applicant will need to apply for conditional use or variance.**

The ODNR surface mine permit does not exempt the applicant from obtaining all other applicable federal, state, or local requirements. The division generally recommends an applicant obtain their zoning prior to submitting an application.

- **If an applicant is located in an area without zoning, the applicant will have to publish a public notice in a local newspaper of general circulation once a week for four weeks. The public notice gives the general public thirty days to submit comments and/or review a copy of the application at the ODNR, Mineral Resources Management office nearest the proposed mine permit location. The timetable there is at least 60 days from first publication date to the final 30 day period with the fourth publication date.**

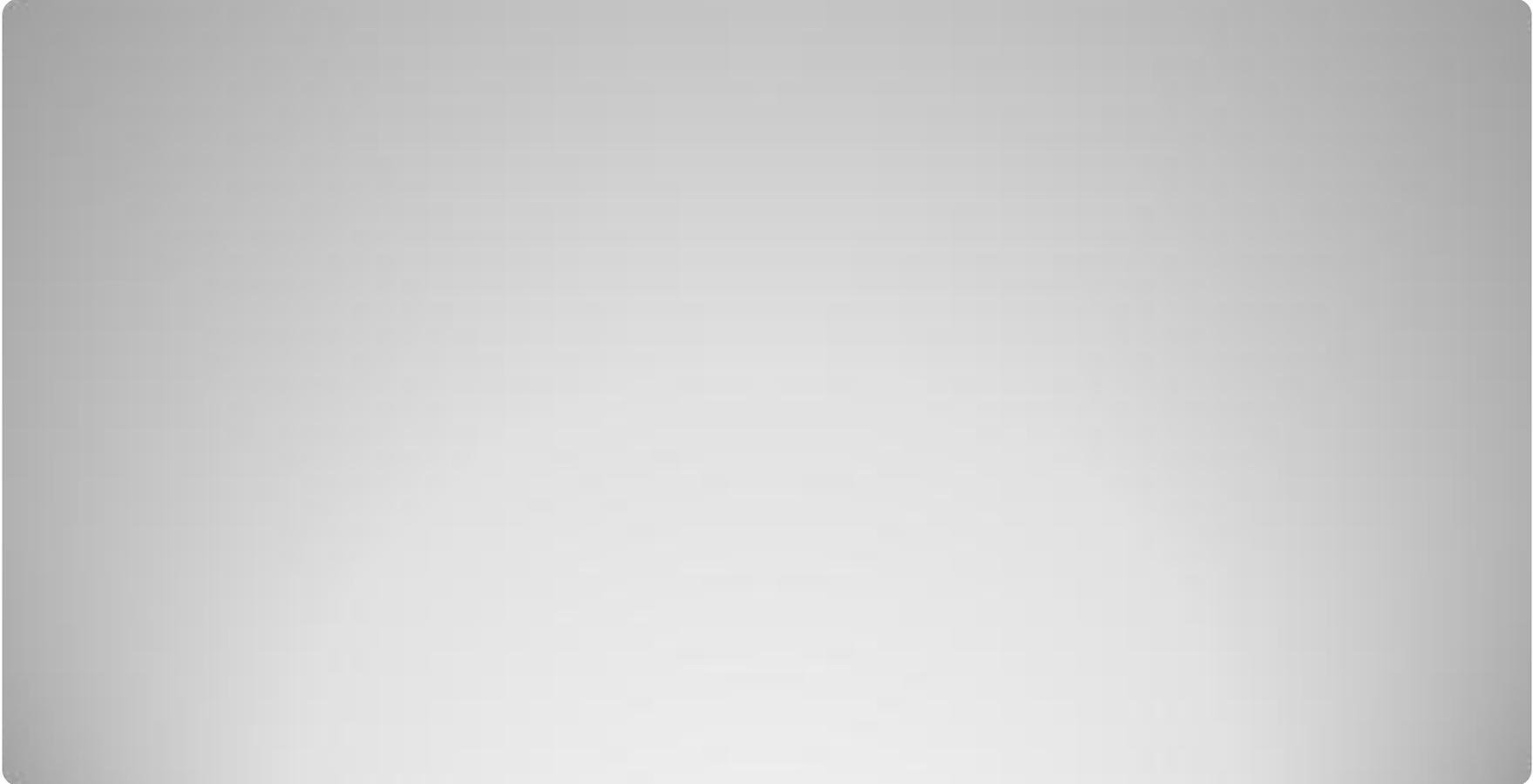
Timing - ODNR Mining Permit

The mining permit requirements and electronic forms can be found on the Industrial Minerals webpage under the ODNR website:

www.ohiodnr.com

- **Once the ODNR web site comes up, along the left-hand side, there is a “Select A Program” drop down menu. Select “Mineral Resources Management” tab. Once Mineral Resources Management’s webpage comes up, click on the photo for “Industrial Minerals”. The second red tab in the center of the Industrial Minerals webpage opens to a copy of Chapter 1514 of the Ohio Revised Code.**
- **In addition, on the left-hand side of the Industrial Minerals webpage, in the tan area, under the second black bar, “electronic forms” are listed. By selecting the electronic forms, all the forms that are required and/or may be required for a mining permit are listed.**

ODNR Mining Permit Website



Questions?

District Offices

Central District
Office

(800)686-2330

Northeast District
Office

(800)686-6330

Northwest District
Office

(800)686-6930

Southeast District
Office

(800)686-7330

Southwest District
Office

(800)686-8930

**Compliance and Inspection Support – Central Office:
Barry Chapman
Ohio EPA
Division of Materials and Waste Management
P.O. Box 1049
Columbus, OH 43216-5325**

**Questions? Call Barry @ (614)728-5344
or email barry.chapman@epa.ohio.gov**