

**BEFORE THE
OHIO ENVIRONMENTAL PROTECTION AGENCY**

**Public Notice
Proposed Rulemaking Governing
Composting Rules**

Notice is hereby given that the Director of Environmental Protection, under the authority of Sections 3734.02 and 3734.12 of the Ohio Revised Code and in accordance with Chapter 119, proposes to original file the following rule of the Ohio Administrative Code:

Rule Number	Rule Title	Action
3745-560-100	Class I composting facility establishment.	Amend
3745-560-200	Class II composting facility establishment.	Amend
3745-560-300	Class III composting facility establishment.	Amend

Ohio Administrative Code (OAC) Chapter 3745-560 contains the requirements for solid waste composting facilities. Ohio EPA is specifically proposing amendments to OAC rules 3745-560-100, 3745-560-200, and 3745-560-300, which pertain to the establishment of class I, class II, and class III composting facilities.

The purpose of this rule making is to clarify the siting criteria associated with occupied dwellings. OAC rule 3745-560-200 currently contains two paragraphs with conflicting setback distances from occupied dwellings, one stating the materials placement area cannot be within 250 feet and the other stating the distance cannot be within 500 feet. Ohio EPA is proposing to maintain the 250-foot setback distance that has been in effect since the promulgation of the composting rules in 1992. In addition to this correction, Ohio EPA is amending similar language in OAC rules 3745-560-100 and 3745-560-300 to eliminate redundancy.

The public comment period will run until March 23, 2023. A public hearing on this proposed rulemaking will be held to consider public comments in accordance with Section 119.03 of the Ohio Revised Code. Ohio EPA will be holding an in-person and virtual public hearing on the rules on March 23, 2023 at 10:30 a.m. The in-person hearing will be at the same time and date and will be located at Ohio EPA, Suite 700, 50 W. Town Street, Columbus, Ohio 43215. During the hearing, the public may submit written comments on the record about the proposed rules if participating virtually and verbally if participating in person.

Citizens who want to participate virtually must register in advance for the meeting at: <https://attendee.gotowebinar.com/register/7126480646548145757>

Registration for the in-person hearing is not required. Citizens intending to give testimony at the hearing should notify the Ohio EPA Public Interest Center, P.O. Box 1049, Columbus, Ohio 43216-1049, (614) 644-2160 or by emailing mary.mccarron@epa.ohio.gov. Prior registration will ensure

that registrants are heard ahead of those individuals who register at the hearing. Oral testimony may be limited to five minutes, depending on the number of persons testifying. All interested persons are entitled to attend or be represented and to present oral and/or written comments concerning the proposed rule making.

Written testimony should be emailed to the attention of Michelle Mountjoy at michelle.mountjoy@epa.ohio.gov. Written comments may also be submitted to the Hearing Officer at the public hearing. Written testimony will receive the same consideration as oral testimony. All testimony received at the hearing or by close of business on March 23, 2023 will be considered by Ohio EPA prior to final action on this rulemaking proposal. Written comments submitted after this date may be considered as time and circumstances permit.

Questions regarding this rule package should be directed to Michelle Mountjoy at the Division of Materials and Waste Management at (614) 728-5372 or michelle.mountjoy@epa.ohio.gov.

To receive a copy of the proposed rules, please contact the DMWM receptionist at (614) 644-2621. In addition, full copies of all proposed rules are available for review at any Ohio EPA district office and at the Ohio EPA central office. The proposed rules are also accessible on DMWM web page at [DMWM Proposed Rules | Ohio Environmental Protection Agency](#).

To request a reasonable accommodation due to a disability, visit <https://epa.ohio.gov/ada>.