

**BEFORE THE
OHIO ENVIRONMENTAL PROTECTION AGENCY**

**Public Notice
Proposed Rulemaking Governing
Municipal Solid Waste Landfill Operational Rules**

Notice is hereby given that the Director of Environmental Protection, under the authority of Sections 3714.02, 3714.022, 3714.09, 3734.02, 3734.021, 3734.12, 3734.041, 3734.57, 3734.70, 3734.71, 3734.72, 3734.73, 3734.74 of the Ohio Revised Code (ORC) and in accordance with ORC Chapter 119, proposes to original file the following rule of the Ohio Administrative Code:

Rule Number	Rule Title	Action
3745-27-15	Financial assurance for solid waste facility or scrap tire transporter closure.	Amend
3745-27-19	Operational criteria for a sanitary landfill facility.	Rescind
3745-27-19	Operational criteria for a sanitary landfill facility.	New
3745-500-02	General administration – definitions.	Amend
3745-535-01	Solid waste landfills – applicability.	New
3745-535-02	Definitions.	New
3745-535-500	Construction certification.	New
3745-535-600	General operations.	New
3745-535-610	Waste acceptance and placement.	New
3745-535-620	Disposal restrictions.	New
3745-535-630	Daily, intermediate, and final cover.	New
3745-535-650	Surface water and leachate management.	New
3745-535-660	Annual report.	New
3745-535-670	Ten year design update.	New

Ohio Administrative Code rule 3745-27-19 contains operational specifications for owners and operators of municipal solid waste landfills and is currently due for a five-year review pursuant to Ohio Revised Code section 106.03. Ohio Administrative Code rule 3745-27-15 contains financial assurance specifications, and Ohio Administrative Code rule 3745-500-02 contains solid waste definitions.

The purpose of this rule making is to satisfy the requirements of Ohio Revised Code section 106.03. As part of this rulemaking effort, Ohio EPA re-organized the municipal solid waste landfill operational rule into a new program chapter in Ohio Administrative Code Chapter 3745-535 and rescinded the existing rule in Ohio Administrative Code Chapter 3745-27. This proposed rulemaking effort aims to make the requirements clearer and easier to navigate.

The public comment period will run until January 5, 2024. 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 January 5, 2024, at 10:30 a.m. During the hearing, the public may submit written comments on the record about the proposed rules and, if participating in person, may provide comments verbally.

The in-person hearing will be located at Ohio EPA, Suite 700, 50 W. Town Street, Columbus, Ohio 43215. Anyone wishing to participate virtually must register in advance for the meeting at: <https://attendee.gotowebinar.com/register/4673926508558992222>. Registration for the in-person hearing is

not required.

Persons intending to give testimony at the hearing should notify the Ohio EPA Office of Communications and Outreach, 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 January 5, 2024, 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 <https://epa.ohio.gov/divisions-and-offices/materials-and-waste-management/regulations/proposed-rules>.

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