

Hearing Summary

Rule Package: Ohio Administrative Code (OAC) Chapter 3745-27
Municipal Solid Waste Landfill rules

Original filing date: July 6, 2020

Public comment start date: July 6, 2020

Public comment end date: August 12, 2020

Public hearing date: August 12, 2020

List of Rules: 3745-27-02, 3745-27-05, 3745-27-06, 3745-27-07, 3745-27-08,
3745-27-09, 3745-27-11, 3745-27-14

Were there any participants in this public hearing beyond Ohio EPA staff or JCARR staff?

Yes

No

Were there comments received during the public comment period outside of those presented at this hearing?

Yes

No

This hearing summary has been compiled to meet the requirements of Section 119.03 of the Revised Code.

This hearing summary includes this cover sheet and the following attachments:

1. **Attachment A** - A copy of the public notice for this hearing.
2. **Attachment B** – A list of the registrants in attendance at this hearing.
3. **Attachment C** - A copy of the script read into the record to begin and end the hearing.

Ohio EPA's response to comments document includes the comments received, who commented, the agency response to comments, and a statement of whether the rule was changed due to the comments.

Ohio EPA digitally records all public hearings for rules. The digital recordings are available upon request in a WAVE (.wav) file format. These recordings may be sent out for transcription if necessary.

Hearing Summary

Attachment A: Public Notice

BEFORE THE OHIO ENVIRONMENTAL PROTECTION AGENCY

Public Notice Proposed Rulemaking Governing Municipal Solid Waste Landfill 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 rules of the Ohio Administrative Code:

3745-27-02	Permit to install
3745-27-05	Applicability and relation to other laws
3745-27-06	Sanitary landfill facility permit to install application
3745-27-07	Additional criteria for approval of sanitary landfill facility permit to install applications
3745-27-08	Sanitary landfill facility construction
3745-27-09	Sanitary landfill facility operating record
3745-27-11	Final closure of a sanitary landfill facility
3745-27-14	Post-closure care of sanitary landfill facilities

These rules address regulations for municipal solid waste (MSW) landfills, including the permit to install process, applicability, siting, design, permitting, construction, closure, and post-closure care of MSW landfills.

The purpose of this rule making is to fulfill the requirements of Ohio Revised Code section 106.03, which require Ohio EPA to determine whether to continue the rules without change, amend the rules, or rescind the rules.

The public comment period will run until August 12, 2020. A public hearing on this proposed rule making will be held to consider public comments in accordance with Section 119.03 of the Ohio Revised Code.

Ohio EPA will be holding a virtual public hearing on the rules on August 12, 2020 at 10:30 am. The meeting will be held exclusively online. During the virtual hearing the public can submit written comments that will be read into the record by the hearing host.

The virtual hearing may be accessed through Ohio EPA's website at: <https://epa.ohio.gov/virtual>

Written comments may be submitted during the virtual public hearing. In addition, written testimony can be emailed to the attention of Michelle Mountjoy, Division of Materials and Waste Management, at michelle.mountjoy@epa.ohio.gov. All comments received at the virtual hearing or via email by close of business on August 12, 2020 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.

At this time, the proposed rules are only accessible on the DMWM web page at



Hearing Summary

<https://epa.ohio.gov/dmwm/dmwmnonhazrules> .

Please note: Comments for this hearing will only be accepted electronically as Ohio EPA is unable to access physical mail at this time.

Hearing Summary

Attachment B: Registration List

First Name	Last Name	Email	Company	Phone	Address	Country
Michael	Quigley	raffireis@gmail.com	test		Test, conselheiro pena, 35240000	Bulgaria
maria	lima	aritanalima80@gmail.com	caster	1-31335201686	R. Ester de Lima, 3796 Belo Horizonte, Minas Gerais, 31150-610	Brazil
Morgan	Tipton	motipto@gmail.com				USA
Kathryn	Trent	ktrent@wm.com	Waste Management			USA
Stephen	Kilper	skilper@avalonholdings.com	American Landfill Management, Inc.	1-3306180259	One American Way, Warren, OH 44484	USA
steven	white	shwassoc@aol.com	Steven H White & Assoc.	1-6148938952	620 alum creek drive, Suite 305, Columbus, OH 43205	USA

Hearing Summary

Attachment C: Hearing Script

Hello and welcome to Ohio EPA's virtual public hearing regarding Division of Materials and Waste Management proposed rules. My name is Mary McCarron and I'm hosting today's public hearing. With me online from Ohio EPA are Michelle Mountjoy, Mandi Payton, and Emily Dieterich. I'd like to note that we are recording this hearing. We will save all comments submitted during the hearing.

Before I start the hearing, I have a couple of tips about the technical end of today's hearing:

- 1) You should see a floating control panel on your screen in the WebEx app. During the event, the sound may fade in and out due to your internet connection. If you experience problems with the sound during the hearing, either wait a moment or two to see if it is restored or, using the icon on the floating control panel, close or disconnect from the audio portion of the presentation, then reconnect to restore the audio.
- 2) Please use the chat feature to report or receive assistance with technical issues.
- 3) Please also use the chat feature to submit comments during the hearing.

Thank you for taking time to attend this hearing before Ohio EPA. The purpose of the hearing today is to obtain comments from any interested person regarding Ohio EPA's proposed rules.

Ohio EPA Division of Materials and Waste Management is proposing to original file the following rules of the Ohio Administrative Code chapter 3745-27-02, 05, 06, 07, 08, 09, 11, and 14. These rules address regulations for municipal solid waste landfills, including the permit to install process, applicability, siting, design, permitting, construction, closure, and postclosure care of MSW landfills.

These rules have been filed with the Joint Committee on Agency Rule Review. Copies of the rules are available for public review on our website.

All interested persons are entitled to attend or be represented, and to present written comments concerning the proposed rules. All written comments received as part of the official record will be considered by the director of Ohio EPA.

To be included in the official record, written comments must be received by Ohio EPA by the close of business, today, August 12, 2020. These comments may be typed into the chat today or emailed to michelle.mountjoy@epa.ohio.gov. All emailed comments submitted for the record receive the same consideration as typed testimony given today.

Written statements submitted after today may be considered as time and circumstances permit but will not be part of the official record of the hearing.

This hearing affords citizens an opportunity to provide input. Therefore, we will not be able to answer questions today.

YOU MAY NOW SUBMIT COMMENTS IN WRITING. I will read aloud any comments we receive in the hearing chat. I will keep the chat open until 11 a.m. to provide time for participants to type in comments.



Hearing Summary

At this time we have not received any comments in via the chat, so we will close the hearing. After the hearing closes, we will accept written comments through 5:00 p.m. today. You can send those comments to the email address on the screen.

Thank you for your participation. The time is now 11 am and this hearing is concluded.