

*** DRAFT – NOT FOR FILING ***

3745-20-09 **Standard for roadways.**

[Comment: For dates of non-regulatory government publications, publications of recognized organizations and associations, federal rules, and federal statutory provisions referenced in this rule, see ~~the last~~ paragraph (C) of rule 3745-20-01 of the Administrative Code titled "~~Incorporation by reference.~~" "[Referenced materials.](#)"]

No person may construct or maintain a roadway with asbestos tailings or asbestos-containing waste material on that roadway, unless, for asbestos tailings:

- (A) It is a temporary roadway on an area of asbestos ore deposits (asbestos mine); or
- (B) It is a temporary roadway at an active asbestos mill site and is encapsulated with a resinous or bituminous binder. The encapsulated road surface must be maintained at a minimum frequency of once per year to prevent dust emissions; or
- (C) It is encapsulated in asphalt concrete meeting the United States department of transportation, federal highway administration specifications contained in Section 401 of FP-03; "Standard Specifications for Construction of Roads and Bridges on Federal Highway Projects," or their equivalent.