



## Construction and Demolition Debris (C&DD) Processing Facilities – New Rulemaking Authority and Application for Registration

*Ohio EPA is developing new regulations for Construction and Demolition Debris (C&DD) Processing Facilities. As of Oct. 6, 2017, C&DD Processing Facilities in Ohio are required to submit registration applications.*

On June 30, 2017, the 132nd Ohio General Assembly passed **Senate Bill 2**. This bill states that the director of environmental protection shall adopt new rules governing construction and demolition debris processing facilities. The rules will address issuance of permits-to-install and annual licenses, as well as conditions for the location, design, construction, operation and closure of C&DD processing facilities. As of Oct. 6, 2017, owners or operators of C&DD processing facilities are required to submit a one-time application for registration to the licensing authority. If the facility is located within an **approved health district** the application must be submitted to both the health district and Ohio EPA. If the facility is not located within an approved health district, then the application only needs to be submitted to Ohio EPA.

### What are construction and demolition debris processing facilities?

A C&DD processing facility is an offsite location used to process construction and demolition debris. Effective Oct. 6, 2017, Ohio Revised Code (ORC) Section 3714.01 defines a processing facility and provides a revised definition for recycling. Licensed solid waste transfer facilities and licensed solid waste facilities are not considered C&DD processing facilities and are not subject to the C&DD processing facility requirements. Additionally, clean hard fill as defined in **OAC Rule 3745-400-01(C)(1)** that is stored for a period of less than two years for recycling into a usable construction material is not subject to the C&DD processing facility requirements. These materials remain subject to the obligations and notice provisions set forth in **OAC Rule 3745-400-05**.

### Information Required in the Application for Registration

The registration form requires the applicant to provide a name, phone number and address of the owner/operator, the location of the processing facility, and a drawing depicting the facility layout. There is also a registration fee of \$100 payable to the licensing authority (approved health district or Ohio EPA).

Both new and existing facilities (facilities operating prior to Oct. 6, 2017) are required to obtain the registration, however existing facilities that obtain the registration will not be subject to the siting criteria

**Processing facility** means a site, location, tract of land, installation or building that is used, or intended to be used, for processing, transferring or recycling C&DD that was generated off the premises of the facility.

**Processing** means the receipt or storage of C&DD, or the movement of C&DD from vehicles or containers to a working surface, for purposes of separating the debris into individual types of materials as a commodity for use in a beneficial manner that does not constitute disposal.

**Recycling** means processing C&DD that would otherwise be disposed of and returning the material to commerce as a commodity for use in a beneficial manner.



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## Additional Information Regarding C&DD Processing Facilities

The new rules that will be adopted under ORC Chapter 3714, will require a C&DD processing facility to obtain a permit and annual license from Ohio EPA or the local health department. ORC Chapter 3714 will also provide the framework for the rules regarding the location, design and operations, storage and accumulation of materials, the process for closure and financial assurance for C&DD processing facilities.

In addition to the above noted registration requirements, please refer to Ohio EPA's [C&DD processing website](#) for more resources. Ohio EPA's [Construction and Demolition Debris Processing Facilities Overview](#) and [Best Management Practices for Construction and Demolition Debris \(C&DD\) Recycling Facilities in Ohio](#) fact sheets also provide additional information and operational guidelines for facilities that are processing C&DD.

## Other Applicable Ohio EPA Regulations

An owner and/or operator of a C&DD processing facility should be aware that there are additional Ohio EPA regulations that may apply to the operations. Materials crushing, grinding, shredding and processing typically requires a permit through Ohio EPA's [Division of Air Pollution Control \(DAPC\)](#). Roadways and storage piles may also require permitting through DAPC. Recycling and processing operations that are outdoors and subject to precipitation typically require a permit through Ohio EPA's [Division of Surface Water \(DSW\)](#). Additional regulatory obligations may be required for fluids and materials generated from general maintenance of your facility and associated equipment.



Ohio EPA's [Office of Compliance Assistance and Pollution Prevention \(OCAPP\)](#), is a free, non-regulatory, confidential program that can assist in evaluating additional regulatory compliance obligations. If additional permitting obligations are identified, OCAPP can help companies complete and submit the required forms to help get the required permits.

## Contact

For more information about the C&DD processing facility registration process, contact Aaron Shear at [aaron.shear@epa.ohio.gov](mailto:aaron.shear@epa.ohio.gov) or (614) 728-5350. If you would like assistance evaluating other regulatory obligations, contact OCAPP's toll-free assistance hotline at (800) 329-7518.