



## Ohio Revised Code

### Section 6111.051 Use, management, or disposal of structural products.

Effective: September 29, 2015

Legislation: House Bill 64 - 131st General Assembly

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(A) As used in this section, "structural products" means products that are created from clay, shale, or a combination of clay and shale, are generated as a result of a manufacturing process that is designed to create products intended to form part of a building or other structure, and are no longer wanted for that originally intended use. "Structural products" includes floor tiles, bricks, paving bricks, terra-cotta facing tiles, roofing tiles, clay pipes, chimney pipes, flue liners, and drainage tiles and pipes.

(B) No person shall use, manage, or dispose of structural products in a manner that results in any of the following:

- (1) A nuisance;
- (2) An exceedance of a water quality standard adopted under section 6111.041 of the Revised Code;
- (3) An exceedance of a primary or secondary maximum contaminant level established in rules adopted under section 6109.04 of the Revised Code;
- (4) An emission of an air contaminant as defined in section 3704.01 of the Revised Code;
- (5) A threat to public health or safety or the environment.

(C) No person shall place, accumulate, or store for further processing structural products in any of the following locations:

- (1) Within the boundaries of a sole source aquifer designated under the "Safe Drinking Water Act," 88 Stat. 1660 (1974), 42 U.S.C. 300f, as amended, and regulations adopted under it;
- (2) Within the boundaries of a source water protection area;



(3) Above an unconsolidated aquifer capable of yielding at least one hundred gallons per minute.

Division (C) of this section does not apply to structural products that have been sold and distributed in the stream of commerce as desired commodities.

(D) The director of environmental protection or the director's authorized representative may enter private or public property at reasonable times to inspect and investigate conditions or examine records relating to alleged noncompliance with this section and may apply to the court of common pleas having jurisdiction for a warrant permitting the entrance and inspection or examination.

(E) The director may adopt rules in accordance with Chapter 119. of the Revised Code establishing procedures and requirements that are necessary to administer this section.