



Ohio Administrative Code Rule 3745-400-02 General obligations.

Effective: July 4, 2022

(A) Compliance with this chapter does not relieve any person from the obligation to comply with any applicable statute, rule, or authorizing document.

(B) Rules 3745-400-50 to 3745-400-60 of the Administrative Code do not apply to a co-located processing facility.

(C) No person shall establish or modify a processing facility to which rules 3745-400-50 to 3745-400-60 of the Administrative Code apply without first obtaining a permit to install in accordance with rule 3745-400-50 of the Administrative Code that authorizes the establishment or modification.

(D) Except for the operation of a processing facility for which a license is applied for and obtained in accordance with paragraph (E) of this rule and Chapter 3745-501 of the Administrative Code, no person shall establish or operate a facility or operate a processing facility without first obtaining a license issued by the licensing authority in accordance with Chapter 3745-501 of the Administrative Code.

(E) An owner or operator of a processing facility that is proposing to continue to operate the processing facility after the effective date of this rule shall submit an application for a license to the licensing authority in accordance with Chapter 3745-501 of the Administrative Code not later than six months after the effective date of this rule.

(F) An owner or operator of a facility or a processing facility shall obtain, maintain, and comply with all applicable authorizations as specified in Chapters 3704., 3734., and 6111. of the Revised Code.

(G) An owner or operator of a facility or a processing facility shall obtain, maintain, and comply with all effective permits to install, licenses, orders, and other authorizations issued in accordance with Chapter 3714. of the Revised Code and the rules adopted thereunder, as applicable.



(H) An owner or operator of a facility shall not modify a facility without first obtaining authorization from the licensing authority that authorizes the modification.

(I) An owner or operator of a facility or processing facility shall not operate or maintain a facility or a processing facility in such a manner as to create a nuisance, fire hazard, or health hazard or in violation of Chapter 3704., 3714., 3734., or 6111. of the Revised Code.

(J) No person shall conduct, permit, or allow illegal disposal. In the event that illegal disposal is occurring or has occurred at a property, the person responsible for the illegal disposal, the owner of the property, or the person who allowed the illegal disposal to occur, shall promptly remove and dispose or otherwise manage the construction and demolition debris in accordance with Chapter 3714. of the Revised Code and submit verification to Ohio EPA that the construction and demolition debris has been properly managed.