



Ohio Administrative Code Rule 3745-502-01 Solid waste fee - definitions.

Effective: January 8, 2023

If a term used in this chapter is defined in rule 3745-500-02 of the Administrative Code, the definition in rule 3745-500-02 of the Administrative Code is applicable to this chapter unless the term is defined in this rule. As used in this chapter:

(A) [Reserved.]

(B) "Board" means the board of directors of a single county or a joint solid waste management district, the board of county commissioners of a county solid waste management district, or the board of trustees of a solid waste management authority.

(C) "Customer" means a person who contracts with, or utilizes the solid waste services of, the owner or operator of a solid waste transfer or disposal facility or a transporter of solid waste to such a facility.

(D)

(1) "District disposal fee" means a fee levied by a solid waste management district pursuant to division (B) of section 3734.57 of the Revised Code.

(2) "District generation fee" means a fee levied by a solid waste management district pursuant to section 3734.573 of the Revised Code.

(E)

(1) "Environmental protection fee" means a fee levied by the state pursuant to division (A)(3) of section 3734.57 of the Revised Code.

(2) "Excluded waste" means materials that are authorized for disposal at a solid waste landfill and



excluded from the definition of solid waste.

(F)

(1) "Facility" means any site, location, tract of land, installation, or building used for incineration, composting, sanitary landfilling, or other methods of disposal of solid waste or, if the solid waste consist of scrap tires, for the collection, storage, or processing of the solid waste; for the transfer of solid waste; for the treatment of infectious wastes; or for the storage, treatment, or disposal of hazardous waste.

(2) "Fiscal officer" means the fiscal officer of a township.

(G) [Reserved.]

(H) "Host community fee" means a municipal corporation or township fee adopted pursuant to division (C) of section 3734.57 of the Revised Code.

(I)

(1) "Incinerator" means any equipment, machine, device, article, contrivance, structure, or part of a structure used to burn solid or infectious wastes to ash.

(2) "Industrial or manufacturing waste" or "IMW" is a type of solid waste and means the following:

(a) Wastes generated by fuel burning operations which are regulated by rule 3745-17-10 of the Administrative Code and which burn as fuel primarily coal including air pollution control wastes, water pollution control wastes, and other wastes with similar characteristics that are approved by the director.

(b) Wastes generated from foundry operations including air pollution control dust, water pollution control wastes, unspent foundry sand, spent foundry sand, and other foundry wastes with similar characteristics that are approved by the director.



(c) Wastes generated from pulp and papermaking operations including water pollution control wastes, lime mud, lime grit, sawdust, wood chips, bark, hydropulper rejects, and other pulp and papermaking wastes with similar characteristics that are approved by the director.

(d) Wastes generated from steelmaking operations including air pollution control dust, water pollution control wastes, dust from steel processing and finishing operations, water softening sludge, flux material, and other steelmaking wastes with similar characteristics that are approved by the director.

(e) Wastes generated from gypsum processing plant operations including gypsum wallboard waste, paper surface preparation dust, water pollution control wastes, and other gypsum processing wastes with similar characteristics that are approved by the director.

(f) Wastes generated from lime processing operations including air pollution control dust or sludge and other lime processing wastes with similar characteristics that are approved by the director.

(g) Wastes generated from portland cement operations including air pollution control dust and other processing wastes with similar characteristics that are approved by the director.

(h) Wastes generated by manufacturing or industrial operations, other than those listed in paragraphs (I)(2)(a) to (I)(2)(g) of this rule. These solid wastes do not include solid waste generated by commercial operations including stores, offices, restaurants, and warehouses; agricultural operations; or community operations including residents, hotels, motels, bunkhouses, ranger stations, crew quarters, campgrounds, picnic grounds, and day-use recreation areas.

(J) [Reserved.]

(K) [Reserved.]

(L) "Load" means the waste that is transported in and on a single delivery vehicle including but not limited to a truck, an individual rail car, an individual roll-off container, and an individual transfer trailer.



(M) "Municipal solid waste" is a type of solid waste generated from community, commercial, and agricultural operations, including but not limited to the following:

(1) Solid waste generated by community operations including wastes derived from single and multiple household residences, hotels, motels, bunkhouses, ranger stations, crew quarters, campgrounds, picnic grounds, and day-use recreation areas.

(2) Solid waste generated by commercial operations including stores, offices, restaurants, warehouses, and other non-manufacturing activities.

(3) Solid waste generated from agricultural operations including single-family and commercial farms, greenhouses, and nurseries.

(4) Sludge from municipal, commercial, or industrial waste water treatment plants, water treatment plants, and air pollution control facilities that is co-disposed with wastes specified in paragraph (M)(1), (M)(2), (M)(3), or (M)(5) of this rule in a sanitary landfill facility.

(5) Fly ash and bottom ash generated from the incineration of municipal solid waste provided the fly ash and bottom ash are not regulated as hazardous wastes.

(N) [Reserved.]

(O) [Reserved.]

(P) [Reserved.]

(Q) [Reserved.]

(R) "Reuse" means taking an object or material that would otherwise be disposed and using it for its original purpose or a similar purpose, without converting the object or material. "Reuse" does not include using an object or material as fill. "Reuse" is not recycling, storage, disposal, or transfer.

(S)



(1) "Sanitary landfill facility" or "solid waste landfill" means an engineered facility where the final deposition of solid waste on or into the ground is practiced in accordance with Chapter 3734. of the Revised Code and rules adopted thereunder, and includes the units within the limits of waste placement, all groundwater monitoring and control system structures, buildings, explosive gas monitoring, control, and extraction system structures, surface water run-on and runoff control structures, sedimentation ponds, liner systems, and leachate management system structures. The sanitary landfill facility includes all portions of the facility described above and those areas within three hundred feet of the limits of waste placement unless an alternate setback is deemed acceptable by the director. If the owner or operator has not obtained approval of a permit to install, which delineates the setback from the limits of waste placement, submitted in accordance with section 3734.05 of the Revised Code, the sanitary landfill facility includes all portions of the facility described above and those areas within three hundred feet of the limits of waste placement unless the property line of the facility is less than three hundred feet from the limits of waste placement, in which case the sanitary landfill facility includes those areas within the property line.

(2) "Scrap tire recovery facility" means any site, location, tract of land, installation, or building that is used or intended to be used for the processing of scrap tires for the purpose of extracting or producing usable products, materials, or energy from the scrap tires. Processing includes but is not limited to: a controlled combustion process, mechanical process, thermal process, or chemical process that uses whole, split, or shredded scrap tires as a raw material. Scrap tire recovery facility includes any facility that uses the controlled combustion of scrap tires in a manufacturing process to produce process heat or steam or any facility that produces usable heat or electric power through the controlled combustion of scrap tires in combination with another fuel.

(3) "Solid waste energy recovery facility" means any site location, tract of land, installation, or building where mixed solid waste or select solid waste streams, including scrap tires, is used as or intends to be used as fuel to produce energy, heat, or steam. A solid waste energy recovery facility includes the waste handling area, and the energy recovery unit and associated equipment.

[Comment: A "solid waste energy recovery facility", which exclusively uses scrap tires and other approved rubber waste as fuel, may be regulated as a "scrap tire recovery facility."]



(4) "Source separated recyclables" means materials that have been separated from other solid waste at either the point of generation or the point of collection for the purpose of recycling the materials.

(5) "State disposal fee" means a fee levied by the state pursuant to divisions (A)(1) and (A)(2) of section 3734.57 of the Revised Code.

(T) "Treasurer" means the treasurer or such other officer of the municipal corporation as, by virtue of the charter, has the duties of the treasurer.

(U) "Unauthorized wastes" include untreated infectious waste, waste oils, hazardous wastes, yard waste, lead-acid batteries, scrap tires, bulk containerized liquids, and any other materials not authorized for disposal at a solid waste facility.