

As Passed by the House

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Sub. S. B. No. 15

SENATORS Mumper, Carnes, DiDonato, White

REPRESENTATIVES Collier, Core, Niehaus, Damschroder, Krupinski, Faber,
Reinhard, Lendrum, Flowers, Willamowski, Schmidt, Fessler, DeWine, Carey,
Hagan, Kearns, Reidelbach, Webster, Young, Clancy

A BILL

To enact section 1514.081 of the Revised Code to 1
require the Chief of the Division of Mineral 2
Resources Management in the Department of Natural 3
Resources to adopt rules governing the beneficial 4
use of lime mining wastes. 5

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF OHIO:

Section 1. That section 1514.081 of the Revised Code be 6
enacted to read as follows: 7

Sec. 1514.081. (A) As used in this section: 8

(1) "Lime mining wastes" means residual solid or semisolid 9
materials generated from lime or limestone mining and processing 10
operations, including, without limitation, lime kiln dust, 11
scrubber sludge from lime kiln operations, lime or limestone 12
materials not meeting product specification, lime hydrating 13
materials, and other lime or limestone mining, processing, or 14
calcining materials associated with lime or limestone mining or 15
processing. "Lime mining wastes" does not include materials 16
generated from the manufacture of cement. 17

(2) "Beneficial use" means the use of lime mining wastes within a lime mining and reclamation area for land application when it is utilized for agronomic purposes at standard agronomic rates as determined by standard soil testing, for land reclamation in accordance with this chapter and rules adopted under it, including, but not limited to, use as fill material in quarries, and for any other purposes designated by the chief of the division of mineral resources management, including demonstration projects approved by the chief. 18
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(3) "Solid waste disposal facility" means a facility for the disposal of solid wastes that is licensed under Chapter 3734. of the Revised Code. 27
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(4) "Disposal system" has the same meaning as in section 6111.01 of the Revised Code. 30
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(B) Not later than two hundred seventy days after the effective date of this section, the chief shall adopt and may amend, suspend, or rescind rules in accordance with Chapter 119. of the Revised Code establishing standards and requirements for both of the following: 32
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(1) The beneficial use of lime mining wastes, including the beneficial use of lime mining wastes at lime mining and reclamation operations governed by this chapter; 37
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(2) The monitoring of ground water associated with the beneficial use of lime mining wastes and the taking of corrective action in the event of a subsurface discharge of leachate from the beneficial use of lime mining wastes or of contamination of ground water resulting from the beneficial use of lime mining wastes, in order to protect human health and environment. 40
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The beneficial use of lime mining wastes is subject to any applicable standards and requirements established under this chapter and rules adopted under it. Until such time as the chief 46
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adopts rules under this section, the beneficial use of lime mining wastes shall require the prior written approval of the chief in a surface mining permit issued under this chapter.

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(C) The beneficial use of lime mining wastes does not constitute establishing a solid waste disposal facility or a disposal system. A beneficial use of lime mining wastes that is authorized under this section is not subject to any of the following:

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(1) Permit and license requirements for solid waste facilities established under sections 3734.02 and 3734.05 of the Revised Code;

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(2) The prohibition against open dumping of solid wastes established under section 3734.03 of the Revised Code;

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(3) Solid waste disposal and generation fees established under sections 3734.57 to 3734.574 of the Revised Code;

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(4) Permit to install and plan approval requirements and prohibitions established under sections 6111.03, 6111.04, 6111.44, and 6111.45 of the Revised Code.

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Nothing in this section shall be construed to limit any other requirements that are applicable to the beneficial use of lime mining wastes under Chapter 905., 3704., 3714., 3734., or 6111. of the Revised Code or any local or federal laws, including, without limitation, requirements governing air pollution control permits, hazardous waste installation and operation permits, national pollutant discharge elimination system permits, and section 401 water quality certifications.

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