

As Passed by the Senate

124th General Assembly  
Regular Session  
2001-2002

Sub. S. B. No. 15

SENATORS Mumper, Carnes, DiDonato, White

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A BILL

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

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

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

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

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

(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.

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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.

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(4) "Disposal system" has the same meaning as in section  
6111.01 of the Revised Code.

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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:

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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;

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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.

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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  
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 52  
constitute establishing a solid waste disposal facility or a 53  
disposal system. A beneficial use of lime mining wastes that is 54  
authorized under this section is not subject to any of the 55  
following: 56

(1) Permit and license requirements for solid waste 57  
facilities established under sections 3734.02 and 3734.05 of the 58  
Revised Code; 59

(2) The prohibition against open dumping of solid wastes 60  
established under section 3734.03 of the Revised Code; 61

(3) Solid waste disposal and generation fees established 62  
under sections 3734.57 to 3734.574 of the Revised Code; 63

(4) Permit to install and plan approval requirements and 64  
prohibitions established under sections 6111.03, 6111.04, 6111.44, 65  
and 6111.45 of the Revised Code. 66

Nothing in this section shall be construed to limit any other 67  
requirements that are applicable to the beneficial use of lime 68  
mining wastes under Chapter 905., 3704., 3714., 3734., or 6111. of 69  
the Revised Code or any local or federal laws, including, without 70  
limitation, requirements governing air pollution control permits, 71  
hazardous waste installation and operation permits, national 72  
pollutant discharge elimination system permits, and section 401 73  
water quality certifications. 74