

1st STOP CHECKLIST: CONSTRUCTION EQUIPMENT/MATERIAL

REQUIREMENTS & REGULATIONS

- [] If you will sell building and construction material, you need a **VENDOR'S LICENSE**. Contact your **COUNTY AUDITOR**. **Remember to check local government agencies**
- [] Sales tax is not collected when the material will be used to build structures for the federal, state or local government, or religious or nonprofit organizations. **Remember to check local government agencies.**
- [] If you have questions about what or when food and beverage sales are taxable, contact the **Ohio Department of Taxation** at **(888) 405-4039 for Business Tax Assistance; (888) 405-4089 for Tax Registration; or (800) 282-1782 for the Forms Request Line**. Information is also on-line at <http://www.tax.ohio.gov>. **Remember to check local government agencies.**
- [] The **Board of Building Standards** has established certain standards for building and construction material. If you have questions, contact the **Ohio Department of Commerce, Bureau of Building Code Compliance** at **(614) 644-2223**. Information is also available on-line at www.com.state.oh.us/dico/ **Remember to check local government agencies.**
- [] Contact the **Ohio Environmental Protection Agency (EPA)** for information about the proper disposal of hazardous and solid waste. The EPA can be reached at **(614) 644-3020 for General Inquiries** or **(800) 329-7518 for Office of Compliance Assistance and Pollution Prevention**. The Ohio EPA is also on-line at www.epa.state.oh.us. **Remember to check local government agencies.**

For more help, contact your local Small Business Development Center (SBDC).

www.ohiosbdc.ohio.gov

REMEMBER TO CHECK LOCAL GOVERNMENT AGENCIES

THIS CHECKLIST IS ABOUT STATE REQUIREMENTS.



Permit-to-Install Requirements for Sanitary Sewer Projects

Anyone who plans to construct a wastewater collection, conveyance, storage, treatment or disposal facility must apply for and receive a wastewater permit-to-install (PTI) from Ohio EPA before beginning construction.

This includes facilities that handle wastewater from businesses, industries, commercial operations and anything other than one-, two- or three-family dwellings. If multiple homes or buildings connect to a common sewer or disposal system, a PTI is needed for the common sewer or disposal system. This fact sheet is provided to clarify at what point in the sewer system a PTI is needed.

Definitions

From Ohio Administrative Code (OAC) 4101:3 – Ohio Plumbing Code

- **Building** – Any structure consisting of foundations, walls, columns, girders, beams, floors and roof or combination of any number of these parts, with or without other parts or appurtenances.
- **Building Drain** – That part of the lowest piping of a drainage system that receives the discharge from soil, waste and other drainage pipes inside and that extends 30 inches (762 mm) beyond the walls of the building and conveys the drainage to the building sewer.
- **Building Sewer** – That part of the drainage system that extends from the end of the building drain and conveys the discharge to a public sewer, private sewer, individual sewage disposal system or other point of disposal.

From Ohio Revised Code (ORC) 6111.01

- **Disposal System** – A system for disposing of sewage, industrial waste or other liquid wastes, and includes sewerage systems and treatment works.
- **Sewerage System** – Pipelines for conduits, pumping stations and force mains and all other constructions, devices, appurtenances and facilities for collecting or conducting waterborne sewage, industrial waste or other wastes to a point of disposal or treatment but does not include building drains and subdrains, building sewers and building storm sewers.

Permit Regulations

From Ohio Administrative Code (OAC) 3745-42-02

Permit to install and plan approvals for disposal systems – Except as provided in paragraphs (B) to (D)(3) of this rule, no person shall cause, permit or allow the installation of a new disposal system or cause, permit or allow the modification of a disposal system without first obtaining an individual PTI, a general PTI or plan approval from the director.

With regard to disposal systems, applications for a PTI shall include plans for the disposal system and issuance of a PTI shall constitute approval of plans for the disposal of waste and for the disposal system pursuant to sections 6111.44 and 6111.45 of the ORC.

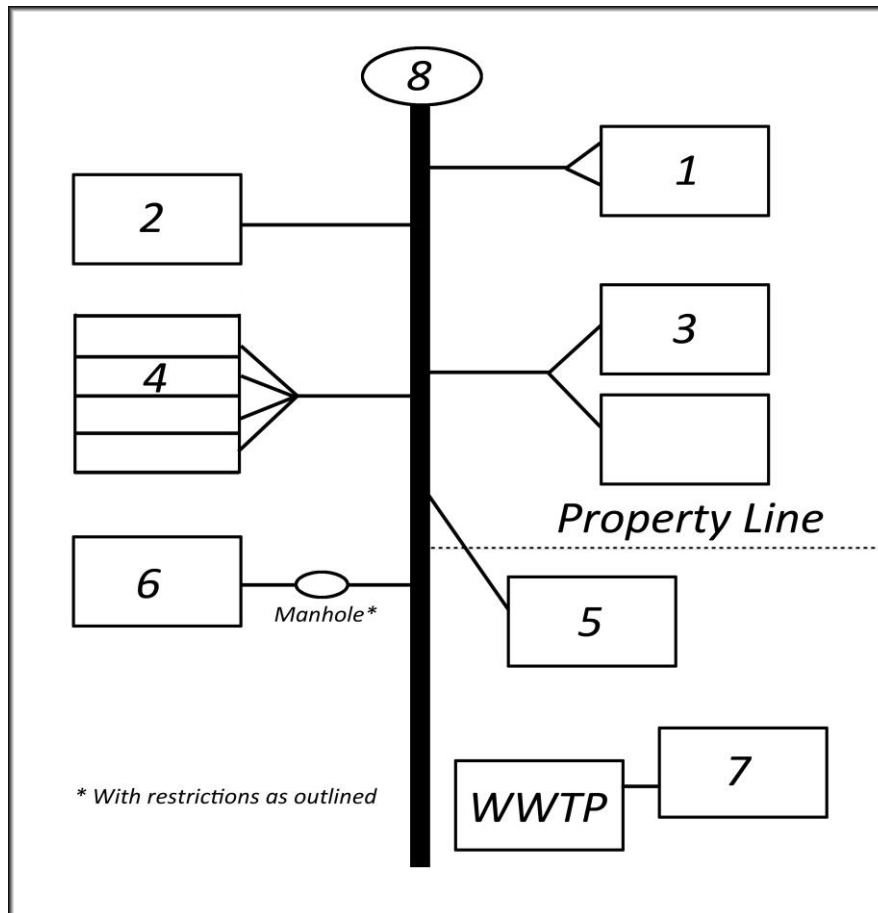
Where can I get more information?

If you have questions or need more information, contact Ohio EPA's Division of Surface Water at your local district office. For district office boundaries and contact information, see epa.ohio.gov/Districts.aspx.

Permit-to-Install Requirements for Sanitary Sewer Projects

Permitting Scenarios

1. Two or more building sewers combine outside of the building. This scenario would not require a PTI as long as only conveyance systems (gravity pipe) are used to transport the wastewater to the public sewer.
2. A single building sewer connects to the public sewer. This scenario would not require a PTI as long as only conveyance systems are used to transport the wastewater to the public sewer.
3. Single sewers from two different buildings connect before flowing to the public sewer. This scenario would require a PTI from the point the pipes connect until they reach the public sewer.
4. A single building is split into separate sections' drains outside the building. This scenario would require a PTI from the point where the building drains connect to each other and on down to the public sewer.
5. The building sewer crosses property lines before connecting to the public sewer. This scenario would not require a PTI as long as only conveyance systems are used.
6. The building sewer enters a manhole prior to draining to the public sewer. This scenario would not require a PTI as long as the manhole:
 - Is located on a sewer lateral and upstream of any collector sewer;
 - Includes not more than one influent pipe; and
 - Does not house any equipment such as a pump.
7. The building sewer connects directly to the wastewater treatment plant. This scenario would require a PTI for the building sewer.
8. The common or collector sewer requires a PTI no matter who will own it (private or public).





On-Site Disposal of Construction and Demolition Debris

State law (Ohio Revised Code §3714) requires that construction and demolition debris (C&DD) be disposed of at a licensed C&DD facility, with a few exceptions.

Construction Debris Exclusion

Construction debris and trees and brush removed in clearing a construction site can be used as fill material on the site where the materials are generated, without being regulated as a C&DD disposal facility (Ohio Revised Code §3714.01(F)). This construction debris exclusion does not cover the burying of construction materials which were not generated on the site of disposal.

Clean Hard Fill Exclusion

In addition to the exclusion of on-site burial of construction debris, "clean hard fill" materials (reinforced or nonreinforced concrete, asphalt concrete, brick, block, tile, and stone) may be used on site in legitimate fill operations for construction purposes or to bring the site up to a consistent grade (Ohio Revised Code §3714.01(F)). Clean hard fill does not include any materials which are contaminated with hazardous, solid or infectious wastes. Clean hard fill can also be used off site in legitimate fill operations for construction purposes or to bring the site up to a consistent grade, if the person burying the materials notifies the local C&DD program licensing authority at least seven days before beginning filling activities (Ohio Revised Code §3714.13(F)). See Ohio Administrative Code 3745-400-05 and DMWM's *Clean Hard Fill* fact sheet for more information.

Demolition Debris Must Be Placed In a Licensed Facility

Noticeably absent from the exclusion is demolition debris. All debris from the demolition of any manmade structure must be disposed of at a licensed construction and demolition debris facility. Ohio Revised Code §3714.04 does allow the licensing authority (Ohio EPA, or an Ohio EPA approved local health department), to issue limited exemptions to the law and rules. An exemption allowing the on-site burial of demolition debris could be granted by the licensing authority as long as the individual requesting the exemption can prove that the burial of demolition debris is unlikely to have any adverse public health, safety or environmental effects, and the site is not above a sole source aquifer.

Contact Your Local Authorities

While the law does allow the burial of construction debris on the property where it was generated and allows the burial of clean hard fill as long as a Notice of Intent to Fill has been filed, local regulations (such as zoning codes) may prohibit such activities. To avoid any potential conflicts with local rules, please be sure to check with your local board of health, zoning office, or other applicable authority before you bury any debris or waste materials on your property or any other property.

If you have questions regarding the construction and demolition debris rules, please contact your local health department or Ohio EPA district office.

Central District Office DMWM Supervisor (614) 728-3778

Northeast District Office DMWM Supervisor (330) 963-1200

Northwest District Office DMWM Supervisor (419) 352-8461

Southeast District Office DMWM Supervisor (740) 385-8501

Southwest District Office DMWM Supervisor (937) 285-6357

Central Office Processing and Engineering Unit (614) 644-2621

Handling Paint Waste from Your Business

Your business might toss empty paint cans, leftover paint and paint-related rags in a dumpster, but is that disposal practice acceptable? Contractors, auto collision repair shops, metal fabricators, wood finishers and other businesses that handle paint need to be aware of the environmental rules for paint-related waste.

It's important that you know the rules and comply with them before you start your business. Noncompliance can lead to violations and fines.

This fact sheet outlines some of the environmental requirements for handling various kinds of paint-related wastes. If you have other questions, contact your *local Ohio EPA district office* or the *Office of Compliance Assistance and Pollution Prevention* (OCAPP).

The first step in ensuring that your company is complying with the rules is to make sure that you know about all the wastes that are generated from your painting business. If you have a material that can no longer be used, it is considered a waste. From here, you must determine if each waste is hazardous or nonhazardous BEFORE you dispose of it.

Nonhazardous waste includes trash, packaging, pallets, cardboard and similar materials that are commonly generated at businesses. Many businesses, however, also generate hazardous wastes. There are two ways in which a waste can be classified as hazardous. First, a listed hazardous waste is one that appears on any of the lists published in *Ohio's hazardous waste rules*. There are many different wastes contained on these lists, including discarded chemicals, solvents and other process-related wastes. Second, a waste can be hazardous if it possesses any one of four hazardous waste characteristics. These characteristics include: ignitability, corrosivity, reactivity and toxicity.

If you need more information on how to identify hazardous waste, refer to the Ohio EPA's fact sheet *Identifying Your Hazardous Waste* or call Ohio EPA's *Office of Compliance Assistance and Pollution Prevention's (OCAPP) confidential hotline* for assistance.

As a waste generator, you must also keep information on file to show how you evaluated each waste stream and how you determined whether each waste was hazardous or non-hazardous. In the event your business is ever inspected by Ohio EPA's *Division of Materials and Waste Management* (DMWM) this information will be requested.

Leftover Paint

The best way to reduce the amount of leftover paint you have is to purchase only the amount you need for a particular job. Besides this, there are other ways you can manage leftover paint instead of throwing it away:

- make arrangements to return un-opened, unused containers of paint to your vendor;
- use leftover paint for touch up work, as a primer or undercoat;
- combine leftover paint with other compatible paints, re-tint it and use it; and
- give it to another business or organization who can use it, or contact a local waste exchange program.



Any leftover paint that cannot be reused or recycled must be properly disposed. Under Ohio's rules, a business owner must determine if a waste is hazardous or not BEFORE it is disposed of. All hazardous waste must be sent to a permitted hazardous waste facility for disposal and CANNOT be thrown in the dumpster, on the ground or put down a septic system.

Some paint formulations may contain toxic metals (mercury, lead, chromium, cadmium, etc.) that will cause the waste paint to be a hazardous waste. Other paints can be regulated as hazardous because of their ignitability or if they've been mixed with spent solvents.

Handling Paint Waste from Your Business

Solvent Waste

Solvents are often used for equipment cleaning, paint stripping and paint thinners. Spent solvents are usually hazardous wastes due to their flammability and/or chemical constituents (e.g., xylene, toluene, acetone, methylene chloride). Solvent wipers also can be considered hazardous. Before you dispose of any solvent waste, you must determine if the waste is hazardous. If hazardous, solvent waste must be sent to a permitted hazardous waste disposal or recycling facility.

Often businesses will use their solvent once before disposing it. Some tips to help you extend the life of the solvents you use include:

- use a two-stage cleaning process. When the first bath doesn't clean, replace it with the second bath and refill the second bath with clean solvent
- reuse your solvents. Allow the solids to settle, then pour off and reuse the clean solvent. Use this solvent to do your initial cleaning, saving the new solvent (a smaller amount) for the final cleaning; and
- recycle the solvent by distilling it either on-site or off-site. If you distill solvent on-site, the sludge and any filters will likely be a hazardous waste and must be managed and disposed of properly. Air permits might also be required for a larger solvent still.

Solvent Rags or Wipers

If you dispose of any solvent contaminated wipers, these must first be evaluated to determine if they are hazardous waste. You CANNOT throw these in the dumpster, unless you can prove they are not hazardous waste.

Recent **Federal rule changes** on solvent wipers are addressed by **guidance** from Ohio EPA. For clarification, please feel free to contact **OCAPP** or your **district office**.

Empty Cans and Containers

Paint, thinner and other materials that are left in cans and containers may be a hazardous waste unless the containers are considered "RCRA empty." A can or container is considered RCRA empty if all the material has been removed using practices (e.g., pouring or pumping) commonly employed to remove the material from that type of container; and

- no more than one inch of residue remains on the bottom, OR
- no more than three percent by weight of the total capacity of the container remains in the container if the container is less than or equal to 100 gallons, OR
- no more than 0.3 percent by weight of the total capacity of the container remains in the container if the container is greater than 110 gallons.

Metal containers that are RCRA empty can usually be recycled as scrap metal or disposed of in the dumpster (as solid waste). You should note, though, that landfills won't accept any waste liquids, including paint, so you must ensure that the containers have no free liquids.

If a container is not RCRA empty and you want to dispose of it, you'll have to evaluate the contents of the container and, if hazardous, properly dispose of this waste.

Paint Booth Filters

You will need to determine if your paint booth filters are hazardous. Filters that contain paint with heavy metal pigments (e.g., lead, chromium, cadmium, etc.) may be hazardous, depending on the level of metals present.

Household Hazardous Waste Exclusion

If you are working on residential job sites, the hazardous waste you generate may fall under Ohio's household hazardous waste exclusion. For wastes that meet the definition of household hazardous waste, you are not required to comply with the hazardous waste rules. However, it is strongly recommended that you properly manage and dispose of these wastes.

Options for managing the waste include working with the homeowner to ensure that wastes get delivered to a household hazardous waste collection site. You also can take the waste to an industrial or hazardous waste facility for disposal. You should note that your local solid waste landfill will be unable to accept any liquid wastes (such as liquid paints, solvents or wastewater). You SHOULD NOT put household hazardous wastes down a septic system or on the ground.

To find out more about Ohio's household hazardous waste exclusion, contact the **Division of Materials and Waste Management** at (614) 644-2917.

Handling Paint Waste from Your Business

Depending upon the types of paint used at your shop, paint filters have a good chance of being a nonhazardous waste. To help keep filters from becoming a hazardous waste, ensure that spray guns are not cleaned or emptied into the filters.

If your filters are nonhazardous you can dispose of them as solid waste. Be aware that your local solid waste landfill may ask you to document to them that the filters are nonhazardous.

Paint Chips or Residues from Paint Removal Activities

Old paint formulations commonly contained toxic metal pigments (lead, mercury, chromium, cadmium, etc.). Buildings and other structures built before 1978 may contain paint with lead or other heavy metals. If you are working on an older structure, it's likely that any paint scrapings, paint chips or spent sand blasting media you generate will be a hazardous waste.

All wastes from paint removal activities must be evaluated to determine if they're hazardous wastes. In this situation, you may need to have samples of the paint residue collected and tested.

Wastewater

Industrial wastewater from painting can be generated from cleaning brushes, sprayers and other equipment or from operating a spray booth. If you are power washing equipment or structures prior to painting, this is also considered industrial wastewater. It is NOT permissible to discharge industrial wastewater on the ground, into storm sewers or into on-site septic systems.

Under Ohio EPA's rules, options for handling industrial wastewater include obtaining a *permit to discharge* directly into surface water or discharging to a public wastewater treatment plant.

If you are cleaning your painting equipment back at your business location, another option is to install a wastewater holding tank and have the wastewater hauled to an industrial waste disposal company.



Industrial Wastewater: Direct Discharges

Any discharge of industrial wastewater to "waters of the state" will require a discharge permit (called an *NPDES permit*) from Ohio EPA. Examples of waters of the state include streams, rivers, lakes, ponds, marshes, water-courses, waterways and springs.

Wastewater discharges entering a conveyance system (like a ditch or storm sewer) that leads to a waterway also require an NPDES permit. You cannot discharge industrial wastewater from your painting business to any waters of the state unless you have received a permit from Ohio EPA.

Industrial Wastewater: Indirect Discharges

If your business is connected to a public wastewater treatment plant (called a POTW), you may be able to discharge wastewater directly to the plant. However, wastewater treatment plants are not designed to handle wastes like metals, solvents or other chemicals. They are designed to handle sewage-related wastes and wastewater. Because of this, the treatment plant can require that you conduct "pretreatment" (e.g., removal of chemicals, solids, etc.) before discharging your wastewater to them. If you want to discharge industrial wastewater to a local treatment plant, you need to discuss these activities with the treatment plant directly. Permission to discharge to the POTW and/or obtaining a permit may be necessary.

If you are going to be working at different job sites and will be generating wastewater from cleaning your painting equipment, it is important to talk with the POTW BEFORE you begin the job. You must get permission from the POTW to discharge wastewater to them.

Constructing a Wastewater Holding Tank

If you do not have a permit to discharge wastewater directly or permission to discharge to a POTW, you must find another way to manage your wastewater. As mentioned, you cannot discharge wastewater directly onto the ground, down a septic system or into a storm sewer.

Handling Paint Waste from Your Business

If you are cleaning equipment back at your business location and generating wastewater, another option for handling the wastewater is to collect it in a holding tank and have it hauled to a disposal facility. If you construct a wastewater holding tank, this activity requires a [permit-to-install](#) from Ohio EPA's [Division of Surface Water](#) (DSW). You can contact your local [Ohio EPA district office](#), DSW for more information on the wastewater discharge and permitting requirements. If you are unsure of who your [local POTW contact](#) is, you also can [contact DSW](#) for assistance.

Pollution Prevention

You can save money and reduce your regulatory burdens if you explore ways of preventing paint related waste. This can include reducing waste streams, emissions or recycling.

Pollution prevention options for paint waste can include:

- investigate high-solids paint, water-borne paint or powder coating;
- using high-efficiency spray equipment;
- using nonhazardous solvents and cleaning materials;
- good housekeeping practices to minimize spills, leaks, etc.;
- recycling materials such as used solvents; and
- keeping a good inventory of material and using up all products before they become outdated.

Contact [OCAPP](#) at (800) 329-7518 for more information about pollution prevention opportunities for your business.

How do I find out more about companies that dispose of hazardous waste?

Ohio EPA's DMWM has a [list of companies](#) that are permitted in Ohio to accept hazardous waste for treatment or disposal. For more information, contact DMWM at (614) 644-2621.

Need More Help?

If you have any questions about evaluating or managing paint-related waste, contact Ohio EPA's DMWM at (614) 644-2917 or your local [Ohio EPA district office](#). See map for the district office which covers the county where your business is located. For questions on handling wastewater from your business, contact Ohio EPA's DSW. See map for the district office in your area. You also can contact Ohio EPA's OCAPP for free and confidential help on the rules at (800) 329-7518.

Handling Paint Waste from Your Business



District Offices



Central Office

Lazarus Government Center
50 W. Town St., Suite 700
P.O. Box 1049
Columbus, OH 43215
(614) 644-3020

Central District Office

Lazarus Government Center
50 W. Town St., Suite 700
Columbus, OH 43215
(614) 728-3778
(800) 686-2330

Northwest District Office

347 N. Dunbridge Rd.
Bowling Green, OH 43402
(419) 352-8461
(800) 686-6930

Southeast District Office

2195 Front Street
Logan, OH 43138
(740) 385-8501
(800) 686-7330

Northeast District Office

2110 E. Aurora Rd.
Twinsburg, OH 44087
(330) 963-1200
(800) 686-6330

Southwest District Office

401 E. Fifth St.
Dayton, OH 45402
(937) 285-6357
(800) 686-8930

*Toll-free numbers are for citizens with questions or concerns about environmental issues.
The regulated community should use the business line for routine business.
Spills and emergencies should be reported to (800) 282-9378.*