

Amendment  
Insert

solid wastes generated outside the district or outside a 732  
 prescribed service area consistent with the projections under 733  
 divisions (A) (6) and (7) of this section, ~~except that. However,~~ 734  
rules adopted by a board under division (C) (1) of this section may 735  
be adopted and enforced with respect to facilities in the solid 736  
waste management district that are not owned by a county or the 737  
solid waste management district only if the board submits an 738  
application to the director of environmental protection that 739  
demonstrates that there is insufficient capacity to dispose of all 740  
solid wastes that are generated within the district at the 741  
facilities located within the district and the director approves 742  
the application. The demonstration in the application shall be 743  
based on projections contained in the plan or amended plan of the 744  
district. The director shall establish the form of the 745  
application. The approval or disapproval of such an application by 746  
the director is an action that is appealable under section 3745.04 747  
of the Revised Code. 748

In addition, the director of environmental protection may 749  
 issue an order modifying a rule authorized to be adopted under 750  
 division (C) (1) of this section to allow the disposal in the 751  
 district of wastes from another county or joint solid waste 752  
 management district if all of the following apply: 753

(a) The district in which the wastes were generated does not 754  
 have sufficient capacity to dispose of solid wastes generated 755  
 within it for six months following the date of the director's 756  
 order; 757

(b) No new solid waste facilities will begin operation during 758  
 those six months in the district in which the wastes were 759  
 generated and, despite good faith efforts to do so, it is 760  
 impossible to site new solid waste facilities within the district 761  
 because of its high population density; 762