



Ohio Administrative Code Rule 3745-100-06 Thresholds for reporting.

Effective: December 12, 2020

[Comment: For dates of non-regulatory government publications, publications of recognized organizations and associations, federal rules, and federal statutory provisions referenced in this rule, see paragraph (AA) of rule 3745-100-01 of the Administrative Code titled "Referenced materials."]

Except as provided in rules 3745-100-14 and 3745-100-16 of the Administrative Code, the threshold amounts for purposes of reporting under rule 3745-100-07 of the Administrative Code for toxic chemicals are as follows:

(A) With respect to a toxic chemical manufactured (including imported) or processed at a facility during the following calendar years:

(1) 1987 - seventy-five thousand pounds of the chemical manufactured or processed for the year.

(2) 1988 - fifty thousand pounds of the chemical manufactured or processed for the year.

(3) 1989 and thereafter - twenty-five thousand pounds of the chemical manufactured or processed for the year.

(B) With respect to a chemical otherwise used at a facility, ten thousand pounds of the chemical used for the applicable calendar year.

(C) With respect to activities involving a toxic chemical at a facility, when more than one threshold applies to the activities, the owner or operator of the facility shall report if the facility exceeds any applicable threshold and shall report on all activities at the facility involving the chemical, except as provided in rule 3745-100-08 of the Administrative Code.

(D) When a facility manufactures, processes or otherwise uses more than one member of a chemical category listed by the administrator of USEPA under 40 CFR Part 372.65, the owner or operator of



the facility shall report if the facility exceeds any applicable threshold for the total volume of all the members of the category involved in the applicable activity. Any such report shall cover all activities at the facility involving members of the category.

(E) A facility may process or otherwise use a toxic chemical in a recycle/reuse operation. To determine whether the facility has processed or used more than an applicable threshold of the chemical, the owner or operator of the facility shall count the amount of the chemical added to the recycle/reuse operation during the calendar year. In particular, if the facility starts up such an operation during a calendar year, or in the event that the contents of the whole recycle/reuse operation are replaced in a calendar year, the owner or operator of the facility shall also count the amount of the chemical placed into the system at these times.

(F) A toxic chemical may be listed by the administrator of USEPA under 40 CFR Part 372.65 with the notation that only persons who manufacture the chemical, or manufacture the chemical by a certain method, are required to report. In that case, only owners or operators of facilities that manufacture that chemical as listed by the administrator of USEPA under 40 CFR Part 372.65 in excess of the threshold applicable to such manufacture in rules 3745-10-06, 3745-100-14, and 3745-100-16 of the Administrative Code are required to report. In completing the reporting form, the owner or operator is only required to account for the quantity of the chemical so manufactured and releases associated with such manufacturing, but not releases associated with subsequent processing or use of the chemical at that facility. Owners and operators of facilities that solely process or use such a chemical are not required to report for that chemical.

(G) A toxic chemical may be listed by the administrator of USEPA under 40 CFR Part 372.65 with the notation that the chemical is in a specific form (for example, fume or dust, solution, or friable) or of a specific color (for example, yellow or white). In that case, only owners or operators of facilities that manufacture, process or use that chemical in the form or of the color specified by the administrator of USEPA under 40 CFR Part 372.65, in excess of the threshold applicable to such activity in rules 3745-100-06, 3745-100-14, and 3745-100-16 of the Administrative Code, are required to report. In completing the reporting form, the owner or operator is only required to account for the quantity of the chemical manufactured, processed or used in the form or color specified by the administrator of USEPA under 40 CFR Part 372.65 and for releases associated with the chemical in that form or color. Owners or operators of facilities that solely manufacture,



process or use such a chemical in a form or color other than those specified by the administrator of USEPA under 40 CFR Part 372.65 are not required to report for that chemical.

(H) Metal compound categories are listed by the administrator of USEPA under 40 CFR Part 372.65. For purposes of determining whether any of the thresholds specified in rules 3745-100-06, 3745-100-14, and 3745-100-16 of the Administrative Code are met for the metal compound category, the owner or operator of a facility shall make the threshold determination based on the total amount of all members of the metal compound category manufactured, processed or used at the facility. In completing the release portion of the reporting form for releases of the metal compounds, the owner or operator is only required to account for the weight of the parent metal released. Any contribution to the mass of the release attributable to other portions of each compound in the category is excluded.