



Ohio Administrative Code

Rule 3745-104-37 Emergency response program.

Effective: August 5, 2021

(A) The owner or operator shall develop and implement an emergency response program for the purpose of protecting public health and the environment and include the following elements:

(1) An emergency response plan, which shall be maintained at the stationary source and contain at least the following elements:

(a) Procedures for informing the public and local emergency response agencies about accidental releases.

(b) Documentation of proper first-aid and emergency medical treatment necessary to treat accidental human exposures.

(c) Procedures and measures for emergency response after an accidental release of a regulated substance.

(2) Procedures for the use of emergency response equipment and for its inspection, testing, and maintenance

(3) Training for all employees in relevant procedures.

(4) A schedule for reviewing and updating the plan as appropriate based on changes at the stationary source or new information obtained from coordination activities, emergency response exercises, incident investigations, or other available information, and ensure that employees are informed of changes.

(B) A written plan that complies with other federal contingency plan regulations or is consistent with the approach in the national response team's "Integrated Contingency Plan Guidance" ("One Plan") and that, among other matters, includes the elements provided in paragraph (A) of this rule,



shall satisfy the requirements of this section if the owner or operator also complies with paragraph (C) of this rule.

(C) The emergency response plan developed under paragraph (A)(1) of this rule shall be coordinated with the community emergency response plan developed under section 3750.05 of the Revised Code or rules adopted thereunder. Upon request of the LEPC or emergency response officials, the owner or operator shall promptly provide to the local emergency response officials information necessary for developing and implementing the community emergency response plan.

(D) Emergency response exercises.

(1) Notification exercises. The owner or operator of a stationary source with any program two or program three processes shall conduct an exercise of the stationary source's emergency response notification mechanism required under paragraph (A) of this rule, as appropriate, before December 19, 2024 and annually thereafter. Owners or operators of responding stationary sources may perform the notification exercise as part of the tabletop and field exercises required in paragraph (D)(2) of this rule and maintain a written record of each notification exercise conducted over the last five years.

(2) Emergency response exercise program. The owner or operator of a stationary source subject to the requirements of this rule shall develop, and implement an exercise program for the emergency response program, including the plan under paragraph (A)(1) of this rule and involve facility emergency response personnel and, as appropriate, emergency response contractors. When planning emergency response field and tabletop exercises, the owner or operator shall coordinate with local public emergency response officials and invite the officials to participate in the exercise that includes the following:

(a) Emergency response field exercises involving the simulated accidental release of a regulated substances (such as toxic substance releases or release of a regulated flammable substance involving a fire or explosion).

(i) Frequency. Consult with local emergency response officials required by rule 3745-104-36 of the Administrative Code to establish an appropriate frequency for field exercises.



(ii) Scope. Field exercises shall involve tests of the source's emergency response plan, including the following: deployment of emergency response personnel and equipment. Field exercises should include the following:

(a) Tests of procedures to notify the public and the appropriate federal, state, and local emergency response agencies about an accidental release.

(b) Tests of procedures and measures for emergency response actions including evacuations and medical treatment.

(c) Tests of communication systems.

(d) Mobilization of facility emergency response personnel, including contractors, as appropriate.

(e) Coordination with local emergency responders.

(f) Emergency response equipment deployment.

(g) Any other action identified in the emergency response program, as appropriate.

(b) Tabletop exercises involving the simulated accidental release of a regulated substance.

(i) Frequency. As required under rule 3745-104-36 of the Administrative Code, the owner or operator shall coordinate with local response officials to establish an appropriate frequency for tabletop exercises and conduct a tabletop exercise before December 19, 2026 and at a minimum, of at least once every three years thereafter.

(ii) Scope. Tabletop exercises shall involve discussions of the source's emergency response plan. The exercise should also, as appropriate, include discussions of the following:

(a) Procedures to notify the public and appropriate Federal, state, and local emergency response agencies.



- (b) Procedures and measures for emergency response including evacuations and medical treatment.
 - (c) Identification of facility emergency response personnel or contractors and their responsibilities.
 - (d) Coordination with local emergency responders.
 - (e) Procedures for emergency response equipment deployment.
 - (f) Any other action identified in the emergency response plan.
- (c) For documentation, an evaluation report within ninety days of each field and tabletop exercise including the following:
- (i) A description of the exercise scenarios.
 - (ii) Names and organizations of each participant.
 - (iii) An evaluation of the exercise results including lessons learned.
 - (iv) Recommendations for improvement or revisions to the emergency response exercise program and emergency response program.
 - (v) A schedule to promptly address and resolve recommendations.
- (3) Alternative means of meeting exercise requirements. The owner or operator may satisfy the requirement to conduct notification, field or tabletop exercises through:
- (a) Exercises conducted to meet other Federal, state or local exercise requirements, provided the exercise meets the requirements of paragraphs (D)(1) and (D)(2) of this rule.
 - (b) Response to an accidental release, provided the response includes actions indicated in paragraphs (D)(1) and (D)(2) of this rule and an after-action report is prepared by the owner or operator



AUTHENTICATED,
OHIO LEGISLATIVE SERVICE
COMMISSION
DOCUMENT #290372

comparable to the exercise evaluation report required in a paragraph (D)(2)(c) of this rule, within ninety days of the incident.