



Ohio Administrative Code

Rule 3745-267-200 In case of a leak or a spill - tank systems - standardized permitting.

Effective: [March 7, 2025](#)

If there has been a leak or a spill from a tank system or secondary containment system, or if either system is unfit for use, the owner or operator shall remove the system from service immediately, and the owner or operator shall satisfy the following requirements:

(A) Immediately stop the flow of hazardous waste into the tank system or secondary containment system and inspect the system to determine the cause of the release.

(B) Remove the waste from the tank system or secondary containment system.

(1) If the release was from the tank system, the owner or operator, within twenty-four hours after detecting the leak, shall remove as much of the waste as is necessary to prevent further release of hazardous waste to the environment and to allow inspection and repair of the tank system to be performed.

(2) If the material released was to a secondary containment system, the owner or operator shall remove all released materials within twenty-four hours or as quickly as possible to prevent harm to human health and the environment.

(C) Immediately conduct a visual inspection of the release and, based upon that inspection:

(1) Prevent further migration of the leak or spill to soils or surface water.

(2) Remove, and properly dispose of, any visible contamination of the soil or surface water.

(D) Report any release to the environment, except as provided in paragraph (D)(1) of this rule, to the director within twenty-four hours after detection of the release. If the owner or operator has reported the release pursuant to 40 CFR Part 302, that report will satisfy this requirement.



(1) The owner or operator need not report on a leak or spill of hazardous waste if the leak or spill is:

(a) Less than or equal to a quantity of one pound; and

(b) Immediately contained and cleaned up.

(2) Within thirty days after detection of a release to the environment, the owner or operator shall submit a report to the director containing the following information:

(a) The likely route of migration of the release.

(b) The characteristics of the surrounding soil (soil composition, geology, hydrogeology, climate).

(c) The results of any monitoring or sampling conducted in connection with the release (if available). If sampling or monitoring data relating to the release is not available within thirty days, the owner or operator shall submit the data to the director as soon as the data becomes available.

(d) The proximity to downgradient drinking water, surface water, and populated areas.

(e) A description of response actions taken or planned.

(E) Either close the system or make necessary repairs.

(1) Unless the owner or operator satisfies the requirements of paragraphs (E)(2) and (E)(3) of this rule, the owner or operator shall close the tank system according to rule 3745-267-201 of the Administrative Code.

(2) If the cause of the release was a spill that has not damaged the integrity of the system, the owner or operator may return the system to service as soon as the released waste is removed and any necessary repairs are made.

(3) If the cause of the release was a leak from the primary tank system into the secondary containment system, the owner or operator shall repair the tank system before returning the tank



system to service.

(F) If the owner or operator has made extensive repairs to a tank system in accordance with paragraph (E) of this rule (for example, installation of an internal liner, or repair of a ruptured primary containment or secondary containment vessel), the owner or operator may not return the tank system to service unless the repair is certified by an independent, qualified, registered, professional engineer in accordance with paragraph (D) of rule 3745-50-42 of the Administrative Code.

(1) The engineer shall certify that the repaired tank system is capable of handling hazardous wastes without release for the intended life of the tank system.

(2) The owner or operator shall submit this certification to the director within seven days after returning the tank system to use.

[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 rule 3745-50-11 of the Administrative Code titled "Incorporated by reference."]