



Ohio Administrative Code

Rule 3745-40-12 Compliance and enforcement; and spill notification requirements.

Effective: December 1, 2018

(A) In accordance with Chapter 3745-40 of the Administrative Code, the director may take any of the following actions:

- (1) Pursue enforcement action against any person who is in non-compliance with this chapter.
- (2) Deny any NPDES permit or biosolids management plan application not in compliance with this chapter and require the submittal of a new NPDES permit or biosolids management plan application, including all applicable fees to the Ohio environmental protection agency within thirty days.
- (3) Specify in an NPDES permit or biosolids management plan, any terms and conditions, including schedules of compliance, necessary to achieve compliance with this chapter.
- (4) Specify in NPDES permits or biosolids management plan, any terms and conditions that are more stringent than the requirements in this chapter when the director has determined that such are necessary to protect public health or the environment.
- (5) Revoke any NPDES permit or biosolids management plan approved in accordance with this chapter.
- (6) Require any person treating, storing, transferring or disposing of sewage sludge or biosolids that have resulted in a nuisance odor to take measures to eliminate the nuisance odor.
- (7) Modify a site authorization to include additional requirements.
- (8) Require any person who beneficially uses biosolids that have resulted in a nuisance odor to cease beneficial use.
- (9) Modify any NPDES permit or biosolids management plan.



(10) Deny a beneficial use site authorization request.

(11) De-authorize any beneficial use site for repeated nuisance odors or violations of this chapter or to protect human health or safety or the environment.

(12) To ensure the protection of human health or the environment, require sampling and monitoring for additional pollutants beyond the requirements in this chapter.

(B) Discharge notification requirements. The permittee shall notify the Ohio environmental protection agency by calling 1-800-282-9378 as soon as possible, but no later than twenty-four hours following the first discovery by the permittee that sewage sludge or biosolids have entered waters of the state. Within fourteen days after the sewage sludge or biosolids are discharged into waters of the state, the permittee shall submit a report to the director or an authorized representative that includes all of the following:

(1) The reason for the discharge.

(2) The location of the discharge to surface waters of the state.

(3) An estimate of the quantity and duration of the discharge to surface waters of the state.

(4) If applicable, records of the quantity and duration of any precipitation leading to the event.

(5) Measures taken to clean up and eliminate the discharge and prevent another occurrence of the discharge.

(C) Spill notification requirements. The permittee shall notify the appropriate Ohio environmental protection agency district office as soon as possible, but no later than twenty-four hours following the first discovery by the permittee that sewage sludge or biosolids have spilled. Within fourteen days after the sewage sludge or biosolids are spilled, the permittee shall submit a report to the director or an authorized representative that includes at least all of the following:



- (1) The reason for the spill.
- (2) The location of the spill.
- (3) An estimate of the quantity and duration of the spill.
- (4) If applicable, records of the quantity and duration of any precipitation leading to the event.
- (5) Measures taken to clean up and eliminate the spill and prevent another occurrence of the spill.