



## Ohio Administrative Code

### Rule 3745-50-80 Remedial action plans - general information.

Effective: [March 7, 2025](#)

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#### (A) Description of a remedial action plan (RAP).

(1) A RAP is a special form of hazardous waste management permit that an owner or operator may obtain instead of a permit issued under rules 3745-50-40 to 3745-50-66 of the Administrative Code to authorize treatment, storage, or disposal of hazardous remediation waste (as defined in rule 3745-50-10 of the Administrative Code) at a remediation waste management site. A RAP may be issued only for the area of contamination where the remediation wastes to be managed under the RAP originated, or areas in close proximity to the contaminated area, except as allowed in limited circumstances under rule 3745-50-230 of the Administrative Code.

(2) The requirements in rules 3745-50-40 to 3745-50-66 of the Administrative Code do not apply to RAPs unless those requirements for traditional hazardous waste management permits are specifically required under rules 3745-50-80 to 3745-50-230 of the Administrative Code. The definitions in rule 3745-50-10 of the Administrative Code apply to RAPs.

(3) Notwithstanding any other provision of Chapter 3745-50 of the Administrative Code, any document that meets the requirements in this rule constitutes a hazardous waste management permit under Chapter 3745-50 of the Administrative Code.

#### (4) A RAP may be:

(a) A stand-alone document that includes only the information and conditions required by rules 3745-50-80 to 3745-50-230 of the Administrative Code; or

(b) Part or parts of another document that includes information or conditions for other activities at the remediation waste management site, in addition to the information and conditions required by rules 3745-50-80 to 3745-50-230 of the Administrative Code.



(5) If the owner or operator is treating, storing, or disposing of hazardous remediation wastes as part of a cleanup compelled by federal or state cleanup authorities, the owner's or operator's RAP does not affect the obligations under those authorities in any way.

(6) If the owner or operator receives a RAP at a facility operating under permit by rule, the RAP does not terminate the permit by rule.

(B) Determining when a RAP is needed.

(1) Whenever a owner or operator treats, stores, or disposes of hazardous remediation wastes in a manner that requires a hazardous waste management permit under rules 3745-50-45 and 3745-50-47 of the Administrative Code, the owner or operator shall obtain either:

(a) A hazardous waste management permit according to rules 3745-50-40 to 3745-50-66 of the Administrative Code; or

(b) A RAP according to rules 3745-50-80 to 3745-50-230 of the Administrative Code.

(2) Treatment units that use combustion of hazardous remediation wastes at a remediation waste management site are not eligible for RAPs under rules 3745-50-80 to 3745-50-230 of the Administrative Code.

(3) An owner or operator may obtain a RAP for managing hazardous remediation waste at an already permitted hazardous waste management facility.

(a) An owner or operator shall have these RAPs approved as a modification to the existing permit according to the requirements of rule 3745-50-51 of the Administrative Code instead of the requirements in rules 3745-50-80 to 3745-50-230 of the Administrative Code. When an owner or operator submits an application for such a modification, however, the information requirements in paragraphs (D)(1)(a)(i), (D)(2)(a), and (D)(3)(c) of rule 3745-50-51 of the Administrative Code do not apply; instead, owners or operators shall submit the information required under paragraph (D) of rule 3745-50-95 of the Administrative Code.



(b) When an owner's or operator's permit is modified, the RAP becomes part of the hazardous waste management permit. Therefore when the owner's or operator's permit (including the RAP portion) is modified, revoked, terminated, or when the permit expires, the permit will be modified according to the applicable requirements in rule 3745-50-51 of the Administrative Code, or terminated according to the applicable requirements in rules 3745-50-51 and 3745-50-53 of the Administrative Code, or expires according to the applicable requirements in rules 3745-50-54 and 3745-50-56 of the Administrative Code.

(C) Determining if a RAP grants any rights or relieves any obligations. The provisions of rule 3745-50-49 of the Administrative Code apply to RAPs.

[Comment: The provisions of paragraph (A) of rule 3745-50-49 of the Administrative Code provide the owner or operator assurance that, as long as the owner or operator complies with the RAP, Ohio EPA will consider the owner or operator to be in compliance with the hazardous waste management rules, and will not take enforcement actions against the owner or operator. However, the owner or operator should be aware of four exceptions to this provision that are listed in rule 3745-50-49 of the Administrative Code.]