



Ohio Administrative Code

Rule 3745-67-24 Response actions- surface impoundments.

Effective: [October 23, 2022](#)

(A) The owner or operator of surface impoundment units subject to paragraph (A) of rule 3745-67-21 of the Administrative Code shall develop a response action plan and keep the response action plan on-site until closure of the facility. The response action plan shall describe the actions to be taken if the action leakage rate has been exceeded. At a minimum, the response action plan shall describe the actions specified in paragraph (B) of this rule.

(B) If the flow rate into the leak detection system exceeds the action leakage rate for any sump, the owner or operator shall:

(1) Notify the director in writing of the exceedance within seven days after the determination;

(2) Submit a preliminary written assessment to the director within fourteen days after the determination, as to the amount of liquids, likely sources of liquids, possible location, size, and cause of any leaks, and short-term actions taken and planned;

(3) Determine to the extent practicable the location, size, and cause of any leak;

(4) Determine whether waste receipt should cease or should be curtailed, whether any waste should be removed from the unit for inspection, repairs, or controls, and whether or not the unit should be closed;

(5) Determine any other short-term and longer-term actions to be taken to mitigate or stop any leaks; and

(6) Within thirty days after the notification that the action leakage rate has been exceeded, submit to the director the results of the analyses specified in paragraphs (B)(3), (B)(4), and (B)(5) of this rule, the results of actions taken, and actions planned. Monthly thereafter, as long as the flow rate in the leak detection system exceeds the action leakage rate, the owner or operator shall submit to the



director a report summarizing the results of any remedial actions taken and actions planned.

(C) To make the leak or remediation determinations in paragraphs (B)(3), (B)(4), and (B)(5) of this rule, the owner or operator shall:

(1)

(a) Assess the source of liquids and amounts of liquids by source; and

(b) Conduct a fingerprint, hazardous constituent, or other analyses of the liquids in the leak detection system to identify the source of liquids and possible location of any leaks, and the hazard and mobility of the liquid; and

(c) Assess the seriousness of any leaks in terms of potential for escaping into the environment; or

(2) Document why such assessments are not needed.