

3745-53-30

**Immediate action.**

- (A) In the event of a discharge of hazardous waste during transportation, the transporter shall take appropriate immediate action to protect human health and the environment. (e.g., notify local authorities and Ohio EPA, dike the discharge area).
- (B) If a discharge of hazardous waste occurs during transportation and an official (state or local government or federal agency) acting within the scope of ~~his~~ official responsibilities determines that immediate removal of such waste is necessary to protect human health or the environment, that official may authorize the removal of the waste by transporters who do not have a U.S. EPA identification number and without the preparation of a manifest.
- (C) An air, rail, highway, or water transporter who has discharged hazardous waste shall:
- (1) Give notice, if required by 49 CFR 171.15, to the "National Response Center" at 800/424-8802.  
  
[Comment: The public utilities commission of Ohio, which has adopted 49 CFR 171.15 by reference, also requires notice of such discharge.]
  - (2) Report in writing as required by 49 CFR 171.16.
  - (3) Give notice to the Ohio EPA "Emergency Response Unit" at 800/282-9378.

[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."]

Effective: 9/29/2021  
Five Year Review (FYR) Dates: 6/7/2021 and Exempt

CERTIFIED ELECTRONICALLY

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Certification

09/14/2021

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Date

Promulgated Under: 119.03  
Statutory Authority: 3734.12  
Rule Amplifies: 3734.12  
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