

3745-67-24

**Response actions- surface impoundments.**

- (A) The owner or operator of surface impoundment units subject to paragraph (A) of rule 3745-67-21 of the Administrative Code ~~must~~shall submit a response action plan to the director when submitting the proposed action leakage rate under rule 3745-67-22 of the Administrative Code. The response action plan ~~must set forth~~shall describe the actions to be taken if the action leakage rate has been exceeded. At a minimum, the response action plan ~~must~~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 ~~must~~shall do all of the following:
- (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 ~~must~~shall submit to the director a report summarizing the results of any remedial actions taken and actions planned.
- (C) To make the leak ~~and/or~~ remediation determinations in paragraphs (B)(3), (B)(4), and (B)(5) of this rule, the owner or operator ~~must~~shall do either of the following:
- (1) Conduct the following assessments and analyses:

- (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.

Effective: 03/24/2017

Five Year Review (FYR) Dates: 11/29/2016 and 11/29/2021

CERTIFIED ELECTRONICALLY

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Certification

02/15/2017

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Date

Promulgated Under: 119.03  
Statutory Authority: 3734.12  
Rule Amplifies: 3734.12  
Prior Effective Dates: 04/15/1981, 01/07/1983, 12/07/2004, 09/05/2010