



## Ohio Administrative Code

### Rule 3745-50-230 Performance of remediation waste management activities under a remedial action plan at a location removed from the area where the remediation wastes originated.

Effective: [March 7, 2025](#)

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(A) An owner or operator may request a remedial action plan (RAP) for remediation waste management activities at a location removed from the area where the remediation wastes originated if the owner or operator believes such a location would be more protective than the contaminated area or areas in close proximity.

(B) If the director determines that an alternative location, removed from the area where the remediation waste originated, is more protective than managing remediation waste at the area of contamination or areas in close proximity, then the director may approve a RAP for this alternative location.

(C) The owner or operator shall request the RAP, and the director will approve or deny the RAP, according to the procedures and requirements in rules 3745-50-80 to 3745-50-230 of the Administrative Code.

(D) A RAP for an alternative location shall also meet the following requirements, which the director shall include in the RAP for such locations:

(1) The RAP for the alternative location shall be issued to the person responsible for the cleanup from which the remediation wastes originated;

(2) The RAP is subject to the expanded public participation requirements in rule 3745-50-531 of the Administrative Code;

(3) The RAP is subject to the public notice requirements in 40 CFR 124.10(c);

(4) The site permitted in the RAP may not be located within sixty-one meters or two hundred feet of a fault which has had displacement in the Holocene time. The owner or operator shall demonstrate



compliance with this standard through the requirements in paragraph (A)(11) of rule 3745-50-44 of the Administrative Code. [See definitions of terms in paragraph (A) of rule 3745-54-18 of the Administrative Code].

[Comment: Sites located in political jurisdictions other than those listed in 40 CFR Part 264 appendix VI are assumed to be in compliance with this requirement.]

(E) These alternative locations are remediation waste management sites, and retain the following benefits of remediation waste management sites:

(1) Exclusion from facility-wide corrective action under rule 3745-54-101 of the Administrative Code; and

(2) Application of paragraph (J) of rule 3745-54-01 of the Administrative Code in lieu of rules 3745-54-10 to 3745-54-19, 3745-54-30 to 3745-54-37, and 3745-54-50 to 3745-54-56 of the Administrative Code.

[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."]