



Ohio Administrative Code

Rule 3745-50-95 Applying for a remedial action plan.

Effective: [March 7, 2025](#)

(A) How to apply. To apply for a remedial action plan (RAP), the owner or operator shall complete an application, sign the application, and submit the application to the director according to the requirements in rules 3745-50-80 to 3745-50-230 of the Administrative Code.

(B) Requirement to obtain a RAP. When a facility or remediation waste management site is owned by one person, but the treatment, storage or disposal activities are operated by another person, it is the operator's duty to obtain a RAP, except that the owner shall also sign the RAP application.

(C) Signatories to the RAP and any required reports for a RAP. Both the owner and the operator are required to sign the RAP application and any required reports according to paragraphs (A), (B), and (C) of rule 3745-50-42 of the Administrative Code. In the application, both the owner and the operator are required to make the certification required under paragraph (D)(1) of rule 3745-50-42 of the Administrative Code. However, the owner may choose the alternative certification under paragraph (D)(2) of rule 3745-50-42 of the Administrative Code if the operator certifies under paragraph (D)(1) of rule 3745-50-42 of the Administrative Code.

(D) Required inclusions in the application for a RAP. The owner or operator shall include the following information in the application for a RAP:

- (1) The name, address, and EPA identification number of the remediation waste management site;
- (2) The names, addresses, and telephone numbers of the owner and operator;
- (3) The latitude and longitude of the site;
- (4) The United States geological survey (USGS) or county map showing the location of the remediation waste management site;



- (5) A scaled drawing of the remediation waste management site showing:
- (a) The remediation waste management site boundaries;
 - (b) Any significant physical structures; and
 - (c) The boundary of all areas on-site where remediation waste is to be treated, stored or disposed;
- (6) A specification of the hazardous remediation waste to be treated, stored, or disposed of at the facility or remediation waste management site. This shall include information on:
- (a) Constituent concentrations and other properties of the hazardous remediation wastes that may affect how such materials should be treated or otherwise managed;
 - (b) An estimate of the quantity of these wastes; and
 - (c) A description of the processes that will be used to treat, store, or dispose of this waste including technologies, handling systems, design and operating parameters that will be used to treat hazardous remediation wastes before disposing of the hazardous remediation wastes according to the land disposal restrictions standards of Chapter 3745-270 of the Administrative Code, as applicable;
- (7) Enough information to demonstrate that operations that follow the provisions in the RAP application will ensure compliance with applicable requirements of Chapters 3745-54 to 3745-57 and 3745-205, 3745-65 to 3745-69 and 3745-256, and 3745-270 of the Administrative Code;
- (8) Such information as may be necessary to enable the director to carry out the director's duties under other federal laws as is required for traditional hazardous waste permits under paragraph (B)(20) of rule 3745-50-44 of the Administrative Code;
- (9) Any other information the director decides is necessary for demonstrating compliance with rules 3745-50-80 to 3745-50-230 of the Administrative Code or for determining any additional RAP conditions that are necessary to protect human health and the environment.



(E) Confidentiality. Rule 3745-49-03 of the Administrative Code allows the owner or operator to claim as confidential any or all of the information submitted to Ohio EPA under rules 3745-50-80 to 3745-50-230 of the Administrative Code. The owner or operator shall assert any such claim at the time the RAP application is submitted or upon other submittals by stamping the words "confidential business information" on each page containing such information. If the owner or operator asserts a claim at the time the information is submitted, Ohio EPA will treat the information according to the procedures in rule 3745-49-03 of the Administrative Code. If the owner or operator does not assert a claim at the time the information is submitted, Ohio EPA may make the information available to the public without further notice to the owner or operator. Ohio EPA will deny any requests for confidentiality of the owner's and operator's name and address.

(F) Submittal of the RAP application. The owner or operator shall submit the application for a RAP to the director for approval.

(G) Submittal of a RAP application as part of another document. If the application for a RAP is submitted as a part of another document, the owner or operator shall clearly identify the components of that document that constitute the RAP application.