



Ohio Administrative Code

Rule 3745-525-101 Location restriction demonstration - placement above the uppermost aquifer, 40 C.F.R. 257.60.

Effective: October 1, 2026

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- (A) New CCR landfills, existing and new CCR surface impoundments, and all lateral expansions of CCR units shall be constructed with a base that is located no less than 1.52 meters (five feet) above the upper limit of the uppermost aquifer, or shall demonstrate that there will not be an intermittent, recurring, or sustained hydraulic connection between any portion of the base of the CCR unit and the uppermost aquifer due to normal fluctuations in groundwater elevations (including the seasonal high water table). The owner or operator shall demonstrate by the dates specified in paragraph (C) of this rule that the CCR unit meets the minimum requirements for placement above the uppermost aquifer.
- (B) The owner or operator of the CCR unit shall obtain a certification from a qualified professional engineer stating that the demonstration meets the requirements of paragraph (A) of this rule.
- (C) The owner or operator of the CCR unit shall complete the demonstration required by paragraph (A) of this rule by the date specified in either paragraph (C)(1) or (C)(2) of this rule.
- (1) For an existing CCR surface impoundment, the owner or operator shall complete the demonstration not later than October 17, 2018.
 - (2) For a new CCR landfill, new CCR surface impoundment, or any lateral expansion of a CCR unit, the owner or operator shall complete the demonstration not later than the date of initial receipt of CCR in the CCR unit.
 - (3) The owner or operator has completed the demonstration required by paragraph (A) of this rule when the demonstration is placed in the facility's operating record as required by paragraph (E) of rule 3745-525-50 of the Administrative Code.
 - (4) An owner or operator of an existing CCR surface impoundment who fails to demonstrate compliance with the requirements of paragraph (A) of this rule by the date specified in paragraph (C)(1) of this rule is subject to the requirements of paragraph (B)(1) of rule 3745-525-710 of the Administrative Code.
 - (5) An owner or operator of a new CCR landfill, new CCR surface impoundment, or any lateral expansion of a CCR unit who fails to make the demonstration showing compliance with the requirements of paragraph (A) of this rule is prohibited from placing CCR in the CCR unit.
- (D) The owner or operator of the CCR unit shall comply with the recordkeeping requirements specified in paragraph (E) of rule 3745-525-50 of the Administrative Code, the notification requirements specified in paragraph (E) of rule 3745-525-60



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of the Administrative Code, and the internet requirements specified in paragraph (E) of rule 3745-525-70 of the Administrative Code.