



Ohio Administrative Code

Rule 3745-525-640 Inspection requirements for CCR surface impoundments, 40 C.F.R. 257.83.

Effective: October 1, 2026

(A) Inspections by a qualified person.

- (1) All CCR surface impoundments and any lateral expansion of a CCR surface impoundment shall be examined by a qualified person as follows:
 - (a) At intervals not exceeding seven days, inspect for any appearances of actual or potential structural weakness and other conditions which are disrupting or have the potential to disrupt the operation or safety of the CCR unit.
 - (b) At intervals not exceeding seven days, inspect the discharge of all outlets of hydraulic structures that pass underneath the base of the surface impoundment or through the dike of the CCR unit for abnormal discoloration, flow or discharge of debris or sediment.
 - (c) At intervals not exceeding thirty days, monitor all CCR unit instrumentation.
 - (d) The results of the inspection by a qualified person shall be recorded in the facility's operating record as required by paragraph (G)(5) of rule 3745-525-50 of the Administrative Code.

(2) Timeframes for inspections by a qualified person.

- (a) Existing CCR surface impoundments. The owner or operator of the CCR unit shall have initiated the inspections required under paragraph (A) of this rule not later than October 19, 2015.
- (b) New CCR surface impoundments and any lateral expansion of a CCR surface impoundment. The owner or operator of the CCR unit shall initiate the inspections required under paragraph (A) of this rule upon initial receipt of CCR by the CCR unit.

(B) Annual inspections by a qualified professional engineer.

- (1) If the existing or new CCR surface impoundment or any lateral expansion of the CCR surface impoundment is subject to the periodic structural stability assessment requirements under paragraph (D) of rule 3745-525-204 of the Administrative Code or paragraph (D) of rule 3745-525-205 of the Administrative Code, the CCR unit shall additionally be inspected on a periodic basis by a qualified professional engineer to ensure that the design, construction, operation, and maintenance of the CCR unit is consistent with recognized and generally accepted good engineering standards. The inspection shall, at a minimum, include the following:



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- (a) A review of available information regarding the status and condition of the CCR unit, including, but not limited to, files available in the operating record (e.g., CCR unit design and construction information required by paragraph (C)(1) of rule 3745-525-204 of the Administrative Code and paragraph (C)(1) of rule 3745-525-205 of the Administrative Code, previous periodic structural stability assessments required under paragraph (D) of rule 3745-525-204 of the Administrative Code and paragraph (D) of rule 3745-525-205 of the Administrative Code, the results of inspections by a qualified person, and results of previous annual inspections).
 - (b) A visual inspection of the CCR unit to identify signs of distress or malfunction of the CCR unit and appurtenant structures.
 - (c) A visual inspection of any hydraulic structures underlying the base of the CCR unit or passing through the dike of the CCR unit for structural integrity and continued safe and reliable operation.
- (2) Inspection report. The qualified professional engineer shall prepare a report following each inspection that addresses the following:
- (a) Any changes in geometry of the impounding structure since the previous annual inspection.
 - (b) The location and type of existing instrumentation and the maximum recorded readings of each instrument since the previous annual inspection.
 - (c) The approximate minimum, maximum, and present depth and elevation of the impounded water and CCR since the previous annual inspection.
 - (d) The storage capacity of the impounding structure at the time of the inspection.
 - (e) The approximate volume of the impounded water and CCR at the time of the inspection.
 - (f) Any appearances of an actual or potential structural weakness of the CCR unit, in addition to any existing conditions that are disrupting or have the potential to disrupt the operation and safety of the CCR unit and appurtenant structures.
 - (g) Any other change that may have affected the stability or operation of the impounding structure since the previous annual inspection.



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(3) Timeframes for conducting the initial inspection.

- (a) Existing CCR surface impoundments. The owner or operator of the CCR unit shall have completed the initial inspection required by paragraphs (B)(1) and (B)(2) of this rule not later than January 19, 2016.
- (b) New CCR surface impoundments and any lateral expansion of a CCR surface impoundment. The owner or operator of the CCR unit shall complete the initial annual inspection required by paragraphs (B)(1) and (B)(2) of this rule is completed not later than fourteen months following the date of initial receipt of CCR in the CCR unit.

(4) Frequency of inspections.

- (a) Except as provided for in paragraph (B)(4)(b) of this rule, the owner or operator of the CCR unit shall conduct the inspection required by paragraphs (B)(1) and (B)(2) of this rule on an annual basis. The date of completing the initial inspection report is the basis for establishing the deadline to complete the first subsequent inspection. Any required inspection may be conducted prior to the required deadline provided the owner or operator places the completed inspection report into the facility's operating record within a reasonable amount of time. In all cases, the deadline for completing subsequent inspection reports is based on the date of completing the previous inspection report. For purposes of this rule, the owner or operator has completed an inspection when the inspection report has been placed in the facility's operating record as required by paragraph (G)(6) of rule 3745-525-50 of the Administrative Code.
- (b) In any calendar year in which both the periodic inspection by a qualified professional engineer and the quinquennial (occurring every five years) structural stability assessment by a qualified professional engineer required by paragraph (D) of rule 3745-525-204 of the Administrative Code and paragraph (D) of rule 3745-525-205 of the Administrative Code are required to be completed, the annual inspection is not required, provided the structural stability assessment is completed during the calendar year. If the annual inspection is not conducted in a year as provided by this paragraph, the deadline for completing the next annual inspection is one year from the date of completing the quinquennial structural stability assessment.



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- (5) If a deficiency or release is identified during an inspection, the owner or operator shall remedy the deficiency or release as soon as feasible and prepare documentation detailing the corrective measures taken.
- (C) The owner or operator of the CCR unit shall comply with the recordkeeping requirements specified in paragraph (G) of rule 3745-525-50 of the Administrative Code, the notification requirements specified in paragraph (G) of rule 3745-525-60 of the Administrative Code, and the internet requirements specified in paragraph (G) of rule 3745-525-70 of the Administrative Code.