



Ohio Administrative Code

Rule 3745-525-700 Inactive CCR surface impoundments, 40 C.F.R. 257.100.

Effective: October 1, 2026

(A) General. Inactive CCR surface impoundments are subject to all of the requirements of this chapter applicable to existing CCR surface impoundments.

(B) [Reserved.]

(C) [Reserved.]

(D) [Reserved.]

(E) Timeframes for certain inactive CCR surface impoundments.

(1) An inactive CCR surface impoundment for which the owner or operator has completed the actions by the deadlines specified in paragraphs (e)(1)(i) to (e)(1)(iii) of section 40 C.F.R. 257.100 is eligible for the alternative timeframes specified in paragraphs (E)(2) to (E)(6) of this rule. The owner or operator of the CCR unit shall comply with the applicable recordkeeping, notification, and internet requirements associated with these provisions.

(2) Location restrictions.

(a) Not later than April 16, 2020, the owner or operator of the inactive CCR surface impoundment shall do the following:

(i) Complete the demonstration for placement above the uppermost aquifer as set forth by paragraphs (A), (B), and (C)(3) of rule 3745-525-101 of the Administrative Code.

(ii) Complete the demonstration for wetlands as set forth by paragraphs (A), (B), and (C)(3) of rule 3745-525-102 of the Administrative Code.

(iii) Complete the demonstration for fault areas as set forth by paragraphs (A), (B), and (C)(3) of rule 3745-525-103 of the Administrative Code.

(iv) Complete the demonstration for seismic impact zones as set forth by paragraphs (A), (B), and (C)(3) of rule 3745-525-104 of the Administrative Code.

(v) Complete the demonstration for unstable areas as set forth by paragraphs (A) to (C), and (D)(3) of rule 3745-525-105 of the Administrative Code.

(b) An owner or operator of an inactive CCR surface impoundment who fails to demonstrate compliance with the requirements of paragraph (E)(2)(a) of



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this rule is subject to the closure requirements of paragraph (B)(1) of rule 3745-525-710 of the Administrative Code.

(3) Design criteria. The owner or operator of the inactive CCR surface impoundment shall do the following:

- (a) Not later than April 17, 2018, complete the documentation of liner type as set forth by paragraphs (A) and (B) of rule 3745-525-202 of the Administrative Code.
- (b) Not later than June 16, 2017, place on or immediately adjacent to the CCR unit the permanent identification marker as set forth by paragraph (A)(1) of rule 3745-525-204 of the Administrative Code.
- (c) Not later than October 16, 2018, prepare and maintain an emergency action plan as set forth by paragraph (A)(3) of rule 3745-525-204 of the Administrative Code.
- (d) Not later than April 17, 2018, compile a history of construction as set forth by paragraphs (B) and (C) of rule 3745-525-204 of the Administrative Code.
- (e) Not later than April 17, 2018, complete the initial hazard potential classification, structural stability, and safety factor assessments as set forth by paragraphs (A)(2), (B), and (D) to (F) of rule 3745-525-204 of the Administrative Code.

(4) Operating criteria. The owner or operator of the inactive CCR surface impoundment shall do the following:

- (a) Not later than April 18, 2017, prepare the initial CCR fugitive dust control plan as set forth in paragraph (B) of rule 3745-525-610 of the Administrative Code.
- (b) Not later than April 17, 2018, prepare the initial inflow design flood control system plan as set forth in paragraph (C) of rule 3745-525-630 of the Administrative Code.
- (c) Not later than April 18, 2017, initiate the inspections by a qualified person as set forth by paragraph (A) of rule 3745-525-640 of the Administrative Code.
- (d) Not later than July 19, 2017, complete the initial annual inspection by a qualified professional engineer as set forth by paragraph (B) of rule 3745-525-640 of the Administrative Code.



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- (5) Groundwater monitoring and corrective action. The owner or operator of the inactive CCR surface impoundment shall do the following:
 - (a) Not later than April 17, 2019, comply with groundwater monitoring requirements set forth in paragraph (B) of rule 3745-525-900 of the Administrative Code and paragraph (B) of rule 3745-525-930 of the Administrative Code.
 - (b) Not later than August 1, 2019, prepare the initial groundwater monitoring and corrective action report as set forth in paragraph (E) of rule 3745-525-900 of the Administrative Code.
- (6) Closure and post-closure care. The owner or operator of the inactive CCR surface impoundment shall do the following:
 - (a) Not later than April 17, 2018, prepare an initial written closure plan as set forth in paragraph (B) of rule 3745-525-720 of the Administrative Code.
 - (b) Not later than April 17, 2018, prepare an initial written post-closure care plan as set forth in paragraph (D) of rule 3745-525-750 of the Administrative Code.