



## Ohio Administrative Code

### Rule 3745-535-855 Corrective measures implementation and completion.

Effective: [March 1, 2026](#)

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(A) Based on the corrective measures plan established under paragraph (B) of rule 3745-535-850 of the Administrative Code for initiation and completion of remedial activities, the owner or operator shall do the following:

(1) Implement the selected remedy as specified in paragraph (H) of rule 3745-535-850 of the Administrative Code.

(2) Implement the corrective measures monitoring program in accordance with paragraph (B)(5) of rule 3745-535-850 of the Administrative Code.

(3) If, at any time during the implementation of the remedy, the director determines that the facility threatens human health or safety or the environment, the director may require the owner or operator to implement the following measures:

(a) Notify all persons via certified mail or any other form of mail accompanied by a receipt who own the land or reside on the land that directly overlies or lies adjacent to any part of the plume of contamination.

(b) Take any interim measures deemed necessary by the director to ensure the protection of human health and safety and the environment. Interim measures should to the extent practicable be consistent with the objectives of and contribute to the performance of any remediation procedure that may be required pursuant to rules 3745-535-850 and 3745-535-860 of the Administrative Code. The following factors shall be considered by the director in determining whether interim measures are necessary:

(i) The amount of time needed to develop and implement a final remediation procedure.

(ii) Actual or potential exposure of nearby populations or environmental receptors to waste-derived



constituents.

(iii) Actual or potential contamination of drinking water supplies or sensitive ecosystems.

(iv) Any further degradation of the groundwater that may occur if remedial action is not initiated expeditiously.

(v) Weather conditions that may cause waste-derived constituents to migrate or be released.

(vi) Risks of fire, explosion, or potential for exposure to waste-derived constituents as a result of an accident or failure of a container or handling system.

(vii) Other situations that threaten human health and the environment.

(B) The owner or operator may determine, based on information developed after implementation of the remediation procedure has begun, or from other information, that compliance with the requirements of paragraph (B) of rule 3745-535-850 of the Administrative Code for the remediation procedure selected under paragraph (H) of rule 3745-535-850 of the Administrative Code is not being achieved through the remedy selected. In such cases, the owner or operator shall implement other methods or techniques that could practically achieve compliance with the requirements, unless a determination in accordance with paragraph (C) of this rule is made.

(C) If the owner or operator determines that compliance with a remediation procedure in accordance with paragraph (B) of rule 3745-535-850 of the Administrative Code is not technically practicable, then the director may require that the owner or operator do the following:

(1) Obtain approval from the director of a certification prepared by a qualified groundwater scientist that compliance with paragraph (F) of this rule cannot be practicably achieved with any currently available methods.

(2) Implement alternative measures to control human or environmental receptor exposure to residual contamination as necessary to protect human health and safety and the environment.



(3) Implement alternative measures for control of the sources of contamination, or for removal or decontamination of equipment, units, devices, or structures needed to implement the remediation procedures, that are both of the following:

(a) Technically practicable.

(b) Consistent with the overall objective of the remediation procedure.

(D) The owner or operator shall manage solid waste encountered during implementation of a corrective measures in a manner that ensures the following:

(1) Protection of human health and the environment.

(2) Compliance with applicable laws and regulations.

(E) The corrective measures remedy selected pursuant to paragraph (H) of rule 3745-535-850 of the Administrative Code shall be considered complete when the following occur:

(1) The owner or operator has demonstrated compliance with the groundwater remediation standards established under rule 3745-535-860 of the Administrative Code at all points within the plume of contamination that lie beyond the groundwater monitoring system established under paragraph (E)(2) of rule 3745-535-805 of the Administrative Code.

(2) Compliance with the groundwater remediation standards established under rule 3745-535-860 have been achieved by demonstrating semiannually that the waste-derived constituents have not exceeded the groundwater remediation standards for a period of three years, using the statistical procedures and performance standards in rule 3745-535-815 of the Administrative Code. The director may specify an alternative length of time during which the owner or operator shall demonstrate that the contamination has not exceeded the groundwater remediation standards that takes into account the following considerations:

(a) Extent and concentration of the contamination.



(b) Behavior characteristics of the contamination in the groundwater.

(c) Accuracy of monitoring or modeling techniques, including any seasonal, meteorological, or other environmental variabilities that may affect the accuracy.

(d) Characteristics of the groundwater.

(e) Groundwater and surface water receptors with complete exposure pathways.

(3) The owner or operator has completed all actions specified within the corrective measures plan specified pursuant to paragraph (B) of rule 3745-535-850 of the Administrative Code.

(4) The owner or operator obtains certification in accordance with paragraph (F) of this rule.

(F) The owner or operator may submit a certification to the director that the corrective measure has been completed in compliance with paragraph (E) of this rule. The owner or operator shall ensure the certification is signed by the owner or operator and a qualified groundwater scientist in accordance with rule 3745-500-50 of the Administrative Code and a copy is placed in the operating record. Upon approval by the director of the certification, the owner or operator is no longer subject to rule 3745-27-18 of the Administrative Code.

(1) If prior to the end of post closure care, the owner or operator determines that the concentrations of the waste-derived constituents listed in appendix I and II to 40 C.F.R. Part 258 are shown to be at or below background values for four consecutive semiannual monitoring events in the monitoring wells within the corrective measures monitoring program, then the owner or operator may reinstate the detection monitoring program described in rule 3745-535-820 of the Administrative Code if approved by the director.

(2) If prior to the end of post closure care, the owner or operator determines that the concentrations of all of the waste-derived constituents listed in rule 3745-535-802 of the Administrative Code are shown to be below groundwater remediation standards at the monitoring wells within the corrective measures monitoring program, or for those monitoring wells within a specific corrective measures monitoring area for four consecutive semiannual monitoring events, then the owner or operator shall



continue monitoring the waste-derived impacts in accordance with the compliance monitoring program described in rule 3745-535-840 of the Administrative Code if approved by the director.

(3) If prior to the end of post closure care, the owner or operator obtains approval of the certification pursuant to paragraph (C)(1) of this rule, then the owner or operator may continue monitoring the waste-derived constituents in accordance with the compliance monitoring program described in rule 3745-535-840 of the Administrative Code.