



Ohio Administrative Code

Rule 3745-55-40 Applicability- financial requirements.

Effective: September 5, 2010

(A) The requirements of rules 3745-55-42, 3745-55-43, and 3745-55-47 to 3745-55-51 of the Administrative Code apply to owners and operators of all hazardous waste facilities, except as provided otherwise in this rule or rule 3745-54-01 of the Administrative Code.

(B) The requirements of rules 3745-55-44 and 3745-55-45 of the Administrative Code apply only to owners and operators of:

(1) Disposal facilities;

(2) Piles, and surface impoundments from which the owner or operator intends to remove the wastes at closure, to the extent that rules 3745-55-44 and 3745-55-45 of the Administrative Code are made applicable to such facilities in rules 3745-56-28 and 3745-56-58 of the Administrative Code;

(3) Tank systems that are required under rule 3745-55-97 of the Administrative Code to meet the requirements for landfills; and

(4) Containment buildings that are required under rule 3745-205-102 of the Administrative Code to meet the requirements for landfills.

(C) The state of Ohio and the federal government are exempt from the requirements of rules 3745-55-40 to 3745-55-51 of the Administrative Code.

(D) The director may replace all or part of the requirements of rules 3745-55-40 to 3745-55-51 of the Administrative Code that apply to a regulated unit with alternate requirements of financial assurance set out in the permit or in an enforceable document (as defined in rule 3745-50-45 of the Administrative Code) where the director:

(1) Prescribes alternative requirements for the regulated unit under paragraph (F) of rule 3745-54-90



and/or paragraph (C) of rule 3745-55-10 of the Administrative Code; and

(2) Determines that it is not necessary to apply the requirements of rules 3745-55-40 to 3745-55-51 of the Administrative Code because the alternative financial assurance requirements will protect human health and the environment.