



## Ohio Administrative Code

### Rule 4906-7-06 Self-reporting of incidents for solar electric generation facilities.

Effective: May 30, 2024

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(A) This rule does not apply to a facility subject to rule 4906-4-10 of the Administrative Code where those rules would require reporting of an incident as defined in this rule.

(B) For purposes of this rule, "incident" includes but is not limited to an event occurring at the site of any generation facility certified by the board where:

(1) There is injury to any person that requires medical treatment beyond first aid.

(2) There is damage to property other than the property leased or owned by the facility operator.

(3) There is damage to the facility operator's property that is estimated to exceed fifty thousand dollars, excluding the cost of electricity lost, which is the sum of the estimated cost of material, labor, and equipment to repair and/or replace the operator's damaged property.

(C) Telephone Notice. Facility operators shall notify the board's executive director by calling 1-844-OHCALL1 (1-844-642-2551) as well as local law enforcement and first responders of all incidents involving a certificated facility, within thirty minutes after discovery unless notification within that time is impracticable under the circumstances.

(D) Written reports regarding incidents.

(1) Within thirty days after an incident is discovered, a facility operator shall submit a written report to the executive director describing the cause of the incident, where ascertainable, and any damage to the facility or to neighboring properties or persons, on a form provided by the board.

(2) Each facility operator shall also docket, in the facility's certificate case, a final written report on a form provided by the board within sixty days after discovery of the incident, unless both of the following apply:



- (a) The facility operator, for good cause shown, demonstrates more time is needed;
- (b) The facility operator submits interim reports to the executive director at intervals of not more than sixty days until a final report is docketed.
- (3) Each written report submitted pursuant to this rule shall address:
  - (a) The cause of the incident.
  - (b) The date and time the incident occurred and date and time it was discovered.
  - (c) A narrative description of the incident and actions taken by the facility operator, including a timeline of those actions and other relevant events.
  - (d) What, if any, damage occurred to the property within the facility.
  - (e) What steps were necessary to repair, rebuild, or replace damage to any property of the facility.
  - (f) What, if any, personal injury was caused by, or related to, the incident.
  - (g) What, if any, damage to properties within or adjacent to the project area was caused by, or related to, the incident.
  - (h) What, if any, steps were, or will be taken to prevent future incidents.
- (E) Staff will investigate every incident that results in a report being submitted under paragraph (D)(1) of this rule. Except as necessary for public safety, a facility operator shall not disturb any damaged property within the facility or the site of a reportable incident until the staff approves action to move the damaged property. Staff will make its initial visit to review any damaged property within three business days of a reported incident unless otherwise prohibited from accessing the area of the damaged property by public safety officials.



(F) A facility involved in a reportable incident under this rule shall not restart or resume construction as to any damaged property within a facility involved in a reportable incident until such action is approved by the board's executive director or the executive director's designee pursuant to the following process:

(1) Such approval is premised upon the filing of:

(a) A complete and final written report fully addressing the factors set forth in paragraph (D) of this rule,

(b) A representation by the facility operator that it is ready to restart the damaged property, and,

(c) A notarized statement that a satisfactory repair or replacement of the damaged property has been completed from:

(i) A licensed professional engineer;

(ii) A qualified representative from the manufacturer of the damaged equipment; or

(iii) A person employed by or hired by the operator having appropriate qualifications under the circumstances to provide the required statement.

(2) Unless otherwise suspended for good cause shown by the board, executive director, or an administrative law judge, a facility operator may restart damaged property five business days after docketing the information required in this rule.