

**3745-512-51 Procedure for concurrence of construction certification.**

- (A) Upon providing written notice of deficiency, the concurring authority may decline to act on the construction certification, including the alterations contained therein, of an engineered component until the construction certification report is complete.
- (B) The concurring authority shall not concur with a construction certification report unless the following is determined:
  - (1) The engineered component being certified was constructed in accordance with Chapter 3714. or 3734. of the Revised Code, and rules adopted thereunder.
  - (2) The engineered component being certified was constructed in accordance with the specifications in the authorizing document, unless the owner or operator has requested concurrence of an alteration made during construction and the requested alteration is contained within the construction certification report and the criteria in paragraph (C)(3) of this rule were met.
  - (3) Alterations made during construction and requested in the construction certification report meet the following:
    - (a) The subject of the request is not a modification of the facility.
    - (b) The alteration request applies only to the portion of the facility being certified.
    - (c) Will not interfere with the ability of the owner or operator to construct, operate, close, and maintain during the post-closure care period the facility in compliance with Chapter 3704., 3714., 3734., or 6111. of the Revised Code or rules promulgated thereunder, and with authorizing documents.
    - (d) The owner or operator has obtained other approvals and authorizations including but not limited to approvals and authorizations issued pursuant to Chapter 3704., 3714., 3734., or 6111. of the Revised Code made necessary by the alteration.
    - (e) Will not interfere with the ability of the owner or operator to conduct corrective actions presently being taken or that are proposed to be taken at the facility or in the immediate area including but not limited to fire, explosion, gas, odors, or ground water corrective actions.
    - (f) There is no interference with the ability of the owner or operator to monitor the impact of the facility on the environment.
- (C) Any concurrence of a construction certification report is rendered invalid if any statement or assertion of fact made in the construction certification report is false, inaccurate, or omits required information.