

Risk management plan: updates and required corrections.

[Comment: For dates of non-regulatory government publications, publications of recognized organizations and associations, federal rules, and federal statutory provisions referenced in this rule, see paragraph (C) of rule 3745-104-01 of the Administrative Code titled "Referenced materials."]

- (A) The owner or operator shall review and update the RMP as specified in paragraph (B) of this rule and submit it in a method and format to a central point specified by USEPA as of the date of submission.
- (B) The owner or operator shall revise and update the RMP submitted under rule 3745-104-38 of the Administrative Code as follows:
 - (1) Within five consecutive years of its initial submission or each most recent update required by paragraphs (B)(2) to (B)(7) of this rule, whichever is later, and every five consecutive years thereafter. For purposes of determining the date of initial submissions, RMPs submitted before June 21, 1999 are considered to have been submitted on that date;
 - (2) No later than three years after a newly regulated substance is first listed in 40 CFR Part 68 by USEPA;
 - (3) No later than the date on which a new regulated substance is first present in an already covered process above a threshold quantity;
 - (4) No later than the date on which a regulated substance is first present above a threshold quantity in a new process;
 - (5) Within six months of a change that requires a revised PHA or hazard review;
 - (6) Within six months of a change that requires a revised offsite consequence analysis as provided in rule 3745-104-14 of the Administrative Code; and
 - (7) Within six months of a change that changes the applicability level of the process as defined in rule 3745-104-05 of the Administrative Code.
- (C) Within six months of the date a stationary source is no longer subject to this rule, the owner or operator shall submit a de-registration to USEPA indicating that the stationary source is no longer covered.
- (D) The owner or operator shall correct the RMP as follows:
 - (1) New accident history information. For any accidental release meeting the five-year accident history reporting criteria of rule 3745-104-16 of the

Administrative Code and occurring after April 9, 2004, the owner or operator shall submit the data required under rule 3745-104-44, paragraph (A)(9) of rule 3745-104-45 and paragraph (A)(11) of rule 3745-104-46 of the Administrative Code with respect to that accident within six months of the release or by the time the RMP is updated under paragraph (B) of this rule.

- (2) Emergency contact information. Beginning June 21, 2004, within one month of any change in the emergency contact information required under paragraph (B)(6) of rule 3745-104-42, the owner or operator shall submit a correction of that information.

Effective: 01/08/2010

R.C. 119.032 review dates: 10/22/2009 and 10/23/2014

CERTIFIED ELECTRONICALLY
Certification

12/29/2009
Date

Promulgated Under: 119.03
Statutory Authority: 3753.02
Rule Amplifies: 3753
Prior Effective Dates: 8/13/99, 7/01/05