

3750-25-25 Release notification requirements.

[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 (YY) of rule 3750-1-01 of the Administrative Code titled "Referenced materials."]

(A) An owner or operator of a facility or vessel where a hazardous chemical is stored and from which a release of a hazardous substance, extremely hazardous substance, or discharge of oil into the environment has occurred in an amount equal to or exceeding the reportable quantity as set forth under rules 3750-20-50, 3750-20-30, and 3750-25-20 of the Administrative Code in any twenty-four hour period has occurred, shall provide both verbal and written notices in accordance with paragraphs (A)(1) and (A)(2) of this rule.

(1) Verbal release notification requirements:

(a) Except as provided in paragraph (B) of rule 3750-25-01 of the Administrative Code, if a release or discharge as described in paragraph (A) of this section occurs, the owner or operator of the facility from which the release or discharge has occurred shall immediately notify verbally, by telephone, radio, or in person, the community emergency coordinator of each local emergency planning district that contains an area likely to be affected by the release or discharge, the fire department having jurisdiction where the release occurred, and the Ohio EPA environmental response unit at 800-282-9378 or 614-224-0946. For facilities regulated pursuant to Chapter 1509. of the Revised Code, the reporting person, as defined by rule 1501:9-8-01 of the Administrative Code shall provide verbal notification to 1-844-OHCALL1. The verbal notification shall be given within thirty minutes after a person at the facility has knowledge of the release or discharge, unless notification within that time is impracticable under the circumstances. In the event a committee does not exist for that emergency planning district in which the release or discharge occurred, notification shall be provided under this section to the Ohio EPA environmental response unit at 800-282-9378 or 614-224-0946, or to 1-844-OHCALL1 for facilities regulated pursuant to Chapter 1509. of the Revised Code, and to the fire department having jurisdiction over the facility. Ohio EPA or Ohio department of natural resources may provide notification to the appropriate local emergency response personnel.

(b) An owner or operator of a vessel from which a release of a hazardous substance, extremely hazardous substance, or discharge of oil has occurred in an amount equal to or exceeding the reportable quantity as set forth under rules 3750-20-50, 3750-20-30 and 3750-25-20 of the Administrative Code shall provide verbal notice within thirty minutes after a person aboard the vessel has knowledge of the release or discharge to the Ohio EPA environmental response unit at 800-282-9378 or 614-224-0946. Upon receiving verbal notification, the Ohio EPA environmental response unit shall immediately notify the community emergency coordinator of the emergency planning district in which the release

or discharge occurred. In the event a committee does not exist for the emergency planning district in which the release or discharge occurred, the Ohio EPA environmental response unit may provide notification to the appropriate local emergency response personnel.

- (c) An owner or operator, or reporting person as defined by rule 1501:9-8-01 of the Administrative Code for facilities regulated pursuant to Chapter 1509. of the Revised Code, of a facility from which there is a transportation-related release of a hazardous substance, extremely hazardous substance or discharge of oil in an amount equal to or exceeding the reportable quantity as set forth under rules 3750-20-50, 3750-20-30, and 3750-25-20 of the Administrative Code shall provide verbal notice within thirty minutes after a person at the facility has knowledge of the release or discharge to the Ohio EPA, environmental response unit at 800-282-9378 or 614-224-0946 or to 1-844-OHCALL1 for facilities regulated pursuant to Chapter 1509. of the Revised Code, and to the 911 operator, or in the absence of a 911 emergency telephone number, to the operator. The Ohio EPA environmental response unit or Ohio department of natural resources, as applicable, may immediately notify the community emergency coordinator of the emergency planning district in which the release or discharge occurred. In the event a committee does not exist for the emergency planning district in which the release or discharge occurred, the Ohio EPA environmental response unit or Ohio department of natural resources, as applicable, may provide notification to the appropriate local emergency response personnel.

For purposes of this rule, "transportation related releases" means a release or discharge during transportation, or storage, incidental to transportation if the stored substance is moving under active shipping papers and has not reached the ultimate consignee.

- (d) The verbal notification required under this rule shall be given within thirty minutes after a person at the facility or aboard a vessel has knowledge of the release or discharge, unless notification is impracticable under the circumstances. To the extent known at the time notice is given and that response to the release or discharge will not be delayed, the verbal notice shall include all of the following information:
- (i) The location and source of the release or discharge.
 - (ii) The chemical name or identity of any substance involved in the release or discharge and whether the substance is an extremely hazardous substance.
 - (iii) An estimate of the quantity (in gallons or pounds) of any substance released or discharged into the environment.
 - (iv) The time and duration of the release or discharge.
 - (v) The environmental medium or media into which the substance was released or discharged and the extent of the release or discharge.

- (vi) Any known or anticipated acute or chronic health risks associated with the release or discharge and, if known to the informant, advice regarding medical attention necessary for individuals exposed to the substance released or discharge.
- (vii) Proper precautions to take as a result of the release or discharge, including evacuation and other proposed response actions, unless that information is readily available to the community emergency coordinator pursuant to the plan of the district prepared under section 3750.04 of the Revised Code.
- (viii) The name and telephone number of the person or persons to be contacted for further information.

(2) Written release notification requirements:

- (a) As soon as practicable but no later than thirty days after the release, the owner or operator, or reporting person as defined by rule 1501:9-8-01 of the Administrative Code for facilities regulated pursuant to Chapter 1509. of the Revised Code, of a facility from which a release or discharge occurred who was required to provide verbal notice under paragraph (A)(1) of this rule, shall submit to the Ohio EPA, or Ohio department of natural resources for facilities regulated pursuant to Chapter 1509. of the Revised Code, and to the committee of the planning district in which the release or discharge occurred, a written follow-up emergency notice for the release or discharge.

An owner or operator of a vessel from which a release or discharge occurred who was required to provide verbal notice under paragraph (A)(1)(b) of this rule shall submit a written follow-up emergency notice to the Ohio EPA pursuant to this rule. After the receipt of written follow-up emergency notice or revised written follow-up emergency notice, the Ohio EPA shall immediately send a copy of it to that community emergency coordinator for that emergency planning district in which the release or discharge occurred.

- (b) The written follow-up emergency notice shall set forth and update the verbal notice given under paragraph (A)(1)(d) of this rule and shall include all of the following additional information (mandatory information):
 - (i) Complete name, mailing address, and telephone number of the owner or operator of the facility from which the release occurred.
 - (ii) Actual time, date and duration of the release or discharge.
 - (iii) Actual time and date of discovery of the release or discharge.
 - (iv) Actions taken to respond to and contain the release or discharge.
 - (v) Indicate the Ohio EPA spill number and the national response center case number on submitted information.
 - (vi) Location of the facility from which the release or discharge occurred (street

or mailing address).

- (vii) Location of the release or discharge (street, county, township, city).

Longitude and latitude, if known, or distance and direction from the nearest intersection or milepost if transportation related release or discharge.

- (viii) Chemical name (common name or technical name) and chemical abstracts service registry number of the substance involved in the release or discharge.

- (ix) Specifically identify all of the environmental medium or media impacted and the extent of impact:

(a) Name of waterway and length of area affected.

(b) If no water was affected then indicate surface area in square feet or yards.

(c) If the release or discharge was monitored, indicate the method of detection, concentrations, and wind direction and speed if the release was airborne.

(d) Amount recovered or neutralized. If neutralized, describe the method of neutralization.

(e) Describe any actions taken to reduce the impact of the release or discharge.

- (x) Provide a chronological summary of the incident. Include a chronology of communications with state and local government agencies.

- (xi) Provide manifest, bills of lading, laboratory analyses which were generated by the owner and operator of the facility and are germane to the incident.

- (xii) Describe any extenuating circumstances which caused the release or discharge.

- (xiii) Describe any known or anticipated acute or chronic health risks associated with the release or discharge.

- (xiv) Where appropriate, advice regarding medical attention necessary for individuals exposed to the substance released or discharged.

- (xv) A summary of all actions taken by the owner or operator to prevent a recurrence of the release or discharge.

- (xvi) An owner or operator of a facility or vessel from which a release or discharge occurred may submit the following additional information (voluntary information) in the written follow up emergency notice as provided pursuant to paragraph (A)(2) of this rule.

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