

Criteria for issuing an order requiring the placement of a lock box upon a request by a political subdivision.

- (A) Before making or approving an application for the issuance of a lock box order the following conditions shall be demonstrated, using scientific evidence, generally accepted scientific principals or laboratory tests:
- (1) Extremely hazardous substances, hazardous substances, or hazardous chemicals are routinely or intermittently present at the facility which would be subject to the order; and
 - (2) Extremely hazardous substances, hazardous substances, or hazardous chemicals are present at the facility in amounts equal to or exceeding the quantities for which reporting is required under section 3750.05 or 3750.07 of the Revised Code and rules adopted there under; and
 - (3) Based upon generally accepted techniques of hazards analysis, a release of the extremely hazardous substances, hazardous substances, or hazardous chemicals present at the facility could pose a substantial risk of catastrophic injury to:
 - (a) The public health or safety;
 - (b) The environment; or
 - (c) An extraordinary risk of injury to emergency response personnel responding to a release of the extremely hazardous substances, hazardous substances, or hazardous chemicals present at the facility.
 - (4) The placement of a lock box will reduce the risk of catastrophic injury to:
 - (a) The public health or safety;
 - (b) The environment; or
 - (c) Emergency response personnel responding to a release of the extremely hazardous substances, hazardous substances, or hazardous chemicals present at the facility.
- (B) All of the following factors shall be considered in determining whether the substances or chemicals that would be subject to the lock box requirements pose a substantial risk of catastrophic injury to public health or safety or to the environment, or pose an extraordinary risk of injury to emergency response personnel responding to a release of the substance or chemical:

- (1) The specific characteristics, and degree and nature of the hazards posed by releases that may occur of the extremely hazardous substances, hazardous chemicals, or hazardous substances present at the facility;
- (2) The proximity of the facility(ies) that would be subject to the lock box requirements to:
 - (a) Residential areas;
 - (b) Areas where significantly large numbers of people are employed or otherwise congregate; and
 - (c) Environmental resources that would be subject to injury by a release.
- (3) The quantities of extremely hazardous substances, hazardous chemicals, or hazardous substances that are routinely or intermittently present at the facility that would be subject to the lock box requirements; and
- (4) The frequency with which the extremely hazardous substances, hazardous chemicals, or hazardous substances are present at the facility(ies) that would be subject, if the lock box order is granted.

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CERTIFIED ELECTRONICALLY

Certification

08/20/2004

Date

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