

3745-53-30

**Immediate action.**

(A) In the event of a discharge of hazardous waste during transportation, the transporter ~~must~~shall take appropriate immediate action to protect human health and the environment. (e.g., notify local authorities ~~and/or~~and Ohio EPA, dike the discharge area).

(B) If a discharge of hazardous waste occurs during transportation and an official (state or local government or federal agency) acting within the scope of his official responsibilities determines that immediate removal of such waste is necessary to protect human health or the environment, that official may authorize the removal of the waste by transporters who do not have a U.S. EPA identification number and without the preparation of a manifest.

(C) An air, rail, highway, or water transporter who has discharged hazardous waste ~~must~~shall:

- (1) Give notice ~~of such discharge to the Ohio EPA office of emergency response, by use of its twenty-four hour number 1-800-282-9378; and, if required by 49 CFR 171.15, to the "National Response Center" at 800/424-8802.~~

[Comment: The public utilities commission of Ohio, which has adopted 49 CFR 171.15 by reference, also requires notice of such discharge.]

- (2) Report in writing as required by ~~the Ohio EPA office of emergency response~~49 CFR 171.16.

~~[Comment: Immediate notice of such discharges is to be given to the national response center by telephone (toll free) at 800-424-8802, pursuant to 49 CFR Section 171.15. In addition, written notification of such discharges is also to be submitted, pursuant to 49 CFR Section 171.15, to the "Director, Office of Hazardous Materials Regulations, Materials Transportation Bureau, U.S. Department of Transportation, Washington, D.C. 20590," and to the public utilities commission of Ohio, which has adopted 49 CFR Section 171.15 by reference. For water (bulk shipment) transporters, see notice requirement set forth in 33 CFR Section 153.203.]~~

~~[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 rule 3745-50-11 of the Administrative Code titled "Incorporated by reference."]~~

- (3) Give notice to the Ohio EPA "Emergency Response Unit" at 800/282-9378.

[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 rule 3745-50-11 of the Administrative Code titled "Incorporated by reference."]

Effective: 10/31/2015

Five Year Review (FYR) Dates: 07/01/2015 and 07/01/2020

CERTIFIED ELECTRONICALLY

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Certification

10/07/2015

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Date

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