

3745-54-91 Required programs.

- (A) Owners or operators subject to rules 3745-54-90 to 3745-54-101 of the Administrative Code must conduct a monitoring and response program as follows:
- (1) Whenever hazardous constituents under rule 3745-54-93 of the Administrative Code from a regulated unit are detected at the compliance point under rule 3745-54-95 of the Administrative Code, the owner or operator must institute a compliance monitoring program under rule 3745-54-99 of the Administrative Code. "Detected" is defined as statistically significant evidence of contamination as described in paragraph (F) of rule 3745-54-98 of the Administrative Code.
 - (2) Whenever the ground water protection standard under rule 3745-54-92 of the Administrative Code is exceeded, the owner or operator must institute a corrective action program under rule 3745-54-100 of the Administrative Code. "Exceeded" is defined as statistically significant evidence of increased contamination as described in paragraph (D) of rule 3745-54-99 of the Administrative Code.
 - (3) Whenever hazardous constituents under rule 3745-54-93 of the Administrative Code from a regulated unit exceed concentration limits under rule 3745-54-94 of the Administrative Code in ground water between the compliance point under rule 3745-54-95 of the Administrative Code and the downgradient facility property boundary, the owner or operator must institute a corrective action program under rule 3745-54-100 of the Administrative Code; or
 - (4) In all other cases, the owner or operator must institute a detection monitoring program under rule 3745-54-98 of the Administrative Code.
- (B) The permit must specify the specific elements of the monitoring and response program. The permit may include one or more of the programs identified in paragraph (A) of this rule as may be necessary to protect human health and the environment and will specify the circumstances under which each of the programs will be required. In deciding whether to require the owner or operator to be prepared to institute a particular program, the director will consider the potential adverse effects on human health and the environment that might occur before final administrative action on a permit modification application to incorporate such a program could be taken.

Effective: 12/07/2004

119.032 review dates: Exempt

Promulgated under: 119.03

Statutory authority: 3734.12

Rule amplifies: 3734.12

Prior effective dates: 08/30/1984, 06/29/1990, 10/20/1998, 03/13/2002