

3745-69-40

**Applicability- drip pad rulespads.**

- (A) ~~The requirements of rules~~ Rules 3745-69-40 to 3745-69-45 of the Administrative Code apply to owners and operators of facilities that use new or existing drip pads to convey treated wood drippage, precipitation, ~~and/or~~ surface water run-on to an associated collection system. Existing drip pads are those constructed before ~~the first effective date of this rule~~ September 2, 1997, and those for which the owner or operator has generated a design and has entered into binding financial or other agreements for construction prior to ~~the first effective date of this rule~~ September 2, 1997. All other drip pads are new drip pads. The requirement at paragraph (B)(3) of rule 3745-69-43 of the Administrative Code to install a leak collection system applies to only those drip pads that are constructed after ~~the first effective date of this rule~~ September 2, 1997 except for those constructed after ~~the first effective date of this rule~~ September 2, 1997 for which the owner or operator has a design and has entered into binding financial or other agreements for construction prior to ~~the first effective date of this rule~~ September 2, 1997.
- (B) The owner or operator of any drip pad that is inside or under a structure that provides protection from precipitation so that neither run-off nor run-on is generated is not subject to regulation under paragraph (E) or (F) of rule 3745-69-43 of the Administrative Code, as appropriate.
- (C) ~~The requirements of rules~~ Rules 3745-69-40 to 3745-69-45 of the Administrative Code are not applicable to the management of infrequent and incidental drippage in storage yards provided that the owner or operator maintains and complies with a written contingency plan that describes how the owner or operator will respond immediately to the discharge of such infrequent and incidental drippage. At a minimum, the contingency plan shall describe how the owner or operator will do all of the following:
- (1) Clean up the drippage;
  - (2) Document the cleanup of the drippage;
  - (3) Retain documents regarding cleanup for three years, ~~and~~
  - (4) Manage the contaminated media in a manner consistent with the Revised Code and the Administrative Code.

Effective: 10/31/2015

Five Year Review (FYR) Dates: Exempt

CERTIFIED ELECTRONICALLY

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Certification

10/07/2015

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Date

Promulgated Under: 119.03  
Statutory Authority: 3734.12  
Rule Amplifies: 3734.12  
Prior Effective Dates: 09/02/1997