

3745-53-30 Immediate action.

- (A) In the event of a discharge of hazardous waste during transportation, the transporter must take appropriate immediate action to protect human health and the environment (e.g., notify local authorities and/or 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:
 - (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
 - (2) Report in writing as required by the Ohio EPA office of emergency response.

[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."]

Effective: 12/07/2004

119.032 review dates: 09/21/2000, Exempt

Promulgated under: 119.03

Rule amplifies: 3734.12

Statutory authority: 3734.12

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