

3750-30-01 **Facilities subject to hazardous chemical reporting requirements.**

[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 paragraph (YY) of rule 3750-1-01 of the Administrative Code titled "Referenced materials."]

(A) A facility that meets both of the following criteria is subject to hazardous chemical reporting under rules 3750-30-15 and 3750-30-20 of the Administrative Code:

- (1) Any facility whose owner or operator is required to prepare or have available a "Material Safety Data Sheet (MSDS)" for a hazardous chemical under the Occupational Safety and Health Act of 1970, 29 USC 651 to 678, as amended, and regulations adopted thereunder; ~~and~~
- (2) The facility has present an amount of any one or more hazardous ~~chemical(s)~~chemical equal to or exceeding the threshold quantity established under rule 3750-30-27 of the Administrative Code.

(B) An agricultural producer, as defined in paragraph (B) of rule 3750-1-01 of the Administrative Code, who has complied with section 302 of the Emergency Planning and Community Right-To-Know Act of 1986, and divisions (B) and (C) of section 3750.05 of the Revised Code, is not a facility subject to this rule with respect to the producer's agricultural activities.

(C) This chapter does not apply to the transportation, including the storage incident to such transportation, of any substance or chemical subject to the requirements of this chapter, including transportation and distribution of natural gas.

(D) A retail gas station, which is engaged in selling gasoline ~~and/or~~ diesel fuel principally to the general public for motor vehicle use on land, with gasoline ~~and/or~~ diesel fuel stored entirely underground, in compliance with all applicable underground storage (UST) requirements and with quantities of gasoline and/or diesel fuel that do not exceed the quantities specified in rule 3750-30-27 of the Administrative Code is not a facility subject to the reporting requirements under rules 3750-30-15 and 3750-30-20 of the Administrative Code.

~~(E) An owner or operator of a facility that is an oil and gas extraction storage facility as defined in paragraph (BB) of rule 3750-1-01 of the Administrative Code shall prepare and submit to the chief of the division of mineral resources management, Ohio department of natural resources, on or before the first day of March of each year, a "Statement of Production of Oil, Gas, and Brine (Form 10 Annual Statement of Production (DNR5601))", for the last preceding calendar year as required under~~

~~Chapter 1509, of the Revised Code. An owner or operator of such a facility who has filed such a report shall be deemed to have satisfied the reporting requirements under section 3750.07 and 3750.08 of the Revised Code, but is still subject to the reporting requirements under sections 3750.06 and 3750.13 of the Revised Code.~~An owner or operator of a facility regulated under 1509, of the Revised Code and that is an oil and gas extraction storage facility as defined in paragraph (BB) of rule 3750-1-01 of the Administrative Code shall prepare and submit to the chief of the division of oil and gas resources management, Ohio department of natural resources, on or before the first day of March of each year, information that shall contain the information consistent with the information that is required to be submitted under the "Emergency Planning and Community Right-to-Know Act of 1986 and regulations adopted thereunder it, for the last preceding calendar year. An owner or operator of such a facility who has reported the information to the chief of the division of oil and gas resources management as directed under 1509.231 of the Revised Code shall be deemed to have satisfied the reporting requirements under section 3750.07 and 3750.08 of the Revised Code, but is still subject to the reporting requirements under sections 3750.06 and 3750.13 of the Revised Code.

Effective:

Five Year Review (FYR) Dates: 08/01/2017

Certification

Date

Promulgated Under: 119.03
Statutory Authority: 3750.02(B)(1)(b)
Rule Amplifies: 3750.07, 3750.08
Prior Effective Dates: 7/30/90, 6/30/93, 4/6/99, 6/5/06, 10/29/11