

\*\*\* DRAFT – NOT FOR FILING \*\*\*

3745-520-670

Fire and explosion prevention, investigation, and response;  
implementation of the fire and explosion contingency plan.

(A) Prevention. An owner or operator shall do the following:

- (1) Prohibit smoking near combustible material.
- (2) Operate the C&DD facility in a manner that prevents fire from occurring in disposed material and in C&DD and waste being stored, reused, or recycled at the facility. This paragraph does not apply to hot loads handled in accordance with rule 3745-520-640 of the Administrative Code.
- (3) Operate the C&DD facility in a manner that prevents explosion including but not limited to explosions in confined spaces, occupied structures, and other places where explosive gases may accumulate.
- (4) Maintain at or near the C&DD facility or have available to the facility adequate equipment, material, and services to prevent the spread of fire and extinguish fire. At a minimum, the owner or operator shall ensure that the equipment, materials, and services described in the fire and explosion contingency plan are at or available to the facility.
- (5) At least weekly, cover disposed combustible material with non-combustible soil or non-combustible clean hard fill. Cover material shall be placed in a manner such that it minimizes void spaces, inhibits the ability of oxygen to reach combustible material, and covers all disposed combustible material so that it is not visible. The date the cover was placed and the location, area, and type of the placed cover shall be recorded in the log of operations.

(B) Investigation.

This paragraph applies only to fires and explosions in disposed material and in C&DD and waste being stored, reused, or recycled at the facility and does not apply to hot loads handled in accordance with rule 3745-520-640 of the Administrative Code.

- (1) If an indication of fire or explosion as described in paragraph (A)(1)(h) of rule 3745-520-615 of the Administrative Code is found during an inspection or at any other time, an owner or operator shall do one of the following:
  - (a) Acknowledge there is a fire or explosion by complying with paragraph (C) of this rule.
  - (b) Determine whether a fire or explosion is occurring or has occurred.

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(2) When investigating, an owner or operator shall verbally notify the licensing authority prior to disturbing buried disposed material. The owner or operator shall send written notification to the licensing authority not later than seven days after delivery of the verbal notification.

(3) Investigation activities and results shall be recorded in the log of operations.

(4) If an owner or operator determines there is a fire or explosion, an owner or operator shall comply with paragraph (C) of this rule.

(C) Response.

This paragraph applies only to fires and explosions in disposed material and in C&DD and waste being stored, reused, or recycled at the facility and does not apply to hot loads handled in accordance with rule 3745-520-640 of the Administrative Code.

(1) Upon detection of a fire or explosion, an owner or operator shall do the following:

(a) Prevent the spread of the fire and extinguish the fire.

(b) Implement the fire and explosion contingency plan.

(c) Delineate the extent of the fire or the area affected by the explosion.

(d) Evaluate slope stability and the integrity of the engineered components.

(e) Record the incident in the log of operations. The record shall contain a description of any response or corrective actions taken and the effectiveness of the response or corrective action.

(f) Notify Ohio EPA and the approved board of health not later than twenty-four hours after detection of the fire or explosion. The notification shall contain the following information:

(i) A description of the incident.

(ii) Whether the fire department or other emergency personnel have entered the C&DD facility in response to the incident.

(iii) Whether the integrity or effectiveness of any engineered component at the C&DD facility has been damaged or has failed as a result of the fire or explosion, if this information is known at the time of notification.

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(2) Upon a measurement equal to or greater than twenty-five per cent of the lower explosive limit of an explosive gas within a structure or confined space, an owner or operator shall do the following immediately:

(a) Evacuate the area to a safe distance.

(b) Eliminate ignition sources.

(c) Notify the fire department, Ohio EPA, and the approved board of health.

(D) Continued compliance with a fire and explosion contingency plan.

(1) An owner or operator shall continue to comply with an implemented fire and explosion contingency plan until the owner or operator has obtained written authorization from the licensing authority releasing the owner or operator from the obligation to comply with the contingency plan.

(2) The licensing authority may decline to act on a request for such an authorization.

(3) If the licensing authority chooses to act on the request, the licensing authority may release the owner or operator from the obligation to comply with the contingency plan if the licensing authority determines that the fire or explosion has been remedied.

(4) If the licensing authority grants authorization releasing the owner or operator from the obligation to comply with the contingency plan, the licensing authority shall retain and distribute copies of the authorization pursuant to rule 3745-500-130 of the Administrative Code.