

3745-104-36 **Emergency response: applicability.**

[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 (C) of rule 3745-104-01 of the Administrative Code titled "Referenced materials."]

- (A) Except as provided in paragraph (B) of this rule, the owner or operator of a stationary source with program two and program three processes shall comply with the requirements of rule 3745-104-37 of the Administrative Code.
- (B) The owner or operator of a stationary source with program two and program three processes whose employees will not respond to accidental releases of regulated substances need not comply with rule 3745-104-37 of the Administrative Code provided that they meet all of the following:
 - (1) For stationary sources with any regulated toxic substance held in a process above the threshold quantity, the stationary source is included in the community emergency response plan developed under 42 USC 11003;
 - (2) For stationary sources with only regulated flammable substances held in a process above the threshold quantity, the owner or operator has coordinated response actions with the local fire department; and
 - (3) Appropriate mechanisms are in place to notify emergency responders when there is a need for a response.

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Certification

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