

**Rule Summary and Fiscal Analysis (Part A)****Department of Commerce**

Agency Name

**Division of State Fire Marshal**

Division

**David Sauer**

Contact

**8895 East Main Street Reynoldsburg OH  
43068-0000**

Agency Mailing Address (Plus Zip)

**614-752-7096**

Phone

Fax

**1301:7-9-16**

Rule Number

**AMENDMENT**

TYPE of rule filing

Rule Title/Tag Line

**Petroleum contaminated soil.****RULE SUMMARY**

1. Is the rule being filed consistent with the requirements of the RC 119.032 review? **Yes**

2. Are you proposing this rule as a result of recent legislation? **No**

3. Statute prescribing the procedure in accordance with the agency is required to adopt the rule: **119.03**

4. Statute(s) authorizing agency to adopt the rule: **3737.88, 3737.882**

5. Statute(s) the rule, as filed, amplifies or implements: **3737.88, 3737.882**

6. State the reason(s) for proposing (i.e., why are you filing,) this rule:

Five year rule revision required under ORC 119.032.

7. If the rule is an AMENDMENT, then summarize the changes and the content of the proposed rule; If the rule type is RESCISSION, NEW or NO CHANGE, then summarize the content of the rule:

Summary:

The rule 1301:7-9-16 governs the storage, treatment and disposal of petroleum

contaminated soil generated from corrective actions undertaken in response to releases of petroleum from underground storage tanks.

Proposed Amendments:

- The rule was amended and re-organized to improve general understanding, and to clarify the options for re-use of petroleum contaminated soil (PCS).
- The rule was amended to address situations in which petroleum contaminated soil (PCS) is returned to a clean excavation. The amendment will provide owners or operators the option of removing and disposing of the PCS as an alternative to the existing requirement to prepare a PCS Treatment Plan. Both options will require action within ninety days.
- The rule was amended to specify a time period for retention of written inspection logs for storage areas of PCS.

8. If the rule incorporates a text or other material by reference and the agency claims the incorporation by reference is exempt from compliance with sections 121.71 to 121.74 of the Revised Code because the text or other material is **generally available** to persons who reasonably can be expected to be affected by the rule, provide an explanation of how the text or other material is generally available to those persons:

*This response left blank because filer specified online that the rule does not incorporate a text or other material by reference.*

9. If the rule incorporates a text or other material by reference, and it was **infeasible** for the agency to file the text or other material electronically, provide an explanation of why filing the text or other material electronically was infeasible:

*This response left blank because filer specified online that the rule does not incorporate a text or other material by reference.*

10. If the rule is being **rescinded** and incorporates a text or other material by reference, and it was **infeasible** for the agency to file the text or other material, provide an explanation of why filing the text or other material was infeasible:

*Not Applicable.*

11. If **revising** or **refiling** this rule, identify changes made from the previously filed version of this rule; if none, please state so:

The citation to a federal regulation found in paragraph (C)(2)(b) was amended to include the publication date of the most recent official version of the Code of Federal Regulations. The change was made to comply with JCARR policy on incorporation by reference of federal statutes and regulations.

12. 119.032 Rule Review Date: **12/23/2011**

(If the rule is not exempt and you answered NO to question No. 1, provide the scheduled review date. If you answered YES to No. 1, the review date for this rule is the filing date.)

NOTE: If the rule is not exempt at the time of final filing, two dates are required: the current review date plus a date not to exceed 5 years from the effective date for Amended rules or a date not to exceed 5 years from the review date for No Change rules.

**FISCAL ANALYSIS**

13. Estimate the total amount by which *this proposed rule* would **increase / decrease** either **revenues / expenditures** for the agency during the current biennium (in dollars): Explain the net impact of the proposed changes to the budget of your agency/department.

This will have no impact on revenues or expenditures.

\$0

There are no changes in the rule that would increase or decrease cost.

14. Identify the appropriation (by line item etc.) that authorizes each expenditure necessitated by the proposed rule:

Not applicable.

15. Provide a summary of the estimated cost of compliance with the rule to all directly affected persons. When appropriate, please include the source for your information/estimated costs, e.g. industry, CFR, internal/agency:

The rule was amended to specify a time period for retention of written inspection logs for storage areas of PCS. Previously, written records were required to be kept indefinitely. The rule amendment limits the retention time to five years. This will reduce the volume of the records to be retained and therefore will reduce the costs of retaining such records.

The rule was amended to address situations in which petroleum contaminated soil (PCS) is returned to a clean excavation. The amendment will provide owners or operators the option of removing and disposing of the PCS as an alternative to the existing requirement to prepare a PCS Treatment Plan. Both options will require action within ninety days. In both situations, owners and operators must properly manage the PCS; however, the newly-added option of removing the PCS is more cost effective. Thus, there is no added cost of compliance. The ninety-day deadline has no bearing on the cost of removal and proper disposal.

16. Does this rule have a fiscal effect on school districts, counties, townships, or municipal corporations? **Yes**

You must complete Part B of the Rule Summary and Fiscal Analysis in order to comply with Am. Sub. S.B. 33 of the 120th General Assembly.

17. Does this rule deal with environmental protection or contain a component dealing with environmental protection as defined in R. C. 121.39? **Yes**

You must complete the Environmental rule Adoption/Amendment Form in order to comply with Am. Sub. 106 of the 121st General Assembly.

**Rule Summary and Fiscal Analysis (Part B)**

1. Does the Proposed rule have a fiscal effect on any of the following?

(a) School  
Districts

(b) Counties

(c) Townships

(d) Municipal  
Corporations

**Yes**

**Yes**

**Yes**

**Yes**

2. Please provide an estimate in dollars of the cost of compliance with the proposed rule for school districts, counties, townships, or municipal corporations. If you are unable to provide an estimate in dollars, please provide a written explanation of why it is not possible to provide such an estimate.

The rule was amended to specify a time period for retention of written inspection logs for storage areas of PCS. Previously, written records were required to be kept indefinitely. The rule amendment limits the retention time to five years. This will reduce the volume of the records to be retained and therefore will reduce the costs of retaining such records.

The rule was amended to address situations in which PCS is returned to an excavation that has otherwise been determined to be clean. The amendment will provide owners or operators the option of removing and disposing of the PCS as an alternative to the existing requirement to prepare a PCS Treatment Plan. Both options will require action within ninety days. In these situations, removing and properly disposing of PCS would have to be performed in any event if the owner or operator does not choose to prepare a PCS Treatment Plan. Thus, there is no added cost of compliance. The ninety-day deadline has no bearing on the cost of removal and proper disposal.

3. If the proposed rule is the result of a federal requirement, does the proposed rule exceed the scope and intent of the federal requirement? **No**

4. If the proposed rule exceeds the minimum necessary federal requirement, please provide an estimate of, and justification for, the excess costs that exceed the cost of the federal requirement. In particular, please provide an estimate of the excess costs that exceed the cost of the federal requirement for (a) school districts, (b) counties, (c) townships, and (d) municipal corporations.

*Not Applicable.*

5. Please provide a comprehensive cost estimate for the proposed rule that

includes the procedure and method used for calculating the cost of compliance. This comprehensive cost estimate should identify all of the major cost categories including, but not limited to, (a) personnel costs, (b) new equipment or other capital costs, (c) operating costs, and (d) any indirect central service costs.

The rule was amended to specify a time period for retention of written inspection logs for storage areas of PCS. Previously, written records were required to be kept indefinitely. The rule amendment limits the retention time to five years. This will reduce the volume of the records to be retained and therefore will reduce the costs of retaining such records.

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#### (a) Personnel Costs

The rule was amended to specify a time period for retention of written inspection logs for storage areas of PCS. Previously, written records were required to be kept indefinitely. The rule amendment limits the retention time to five years. This will reduce the volume of the records to be retained and therefore will reduce the costs of retaining such records.

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#### (b) New Equipment or Other Capital Costs

The rule was amended to specify a time period for retention of written inspection logs for storage areas of PCS. Previously, written records were

required to be kept indefinitely. The rule amendment limits the retention time to five years. This will reduce the volume of the records to be retained and therefore will reduce the costs of retaining such records.

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#### (c) Operating Costs

The rule was amended to specify a time period for retention of written inspection logs for storage areas of PCS. Previously, written records were required to be kept indefinitely. The rule amendment limits the retention time to five years. This will reduce the volume of the records to be retained and therefore will reduce the costs of retaining such records.

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#### (d) Any Indirect Central Service Costs

The rule was amended to specify a time period for retention of written inspection logs for storage areas of PCS. Previously, written records were required to be kept indefinitely. The rule amendment limits the retention time to five years. This will reduce the volume of the records to be retained and therefore will reduce the costs of retaining such records.

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PCS as an alternative to the existing requirement to prepare a PCS Treatment Plan. Both options will require action within ninety days. In these situations, removing and properly disposing of PCS would have to be performed in any event if the owner or operator does not choose to prepare a PCS Treatment Plan. Thus, there is no added cost of compliance. The ninety-day deadline has no bearing on the cost of removal and proper disposal.

**(e) Other Costs**

The rule was amended to specify a time period for retention of written inspection logs for storage areas of PCS. Previously, written records were required to be kept indefinitely. The rule amendment limits the retention time to five years. This will reduce the volume of the records to be retained and therefore will reduce the costs of retaining such records.

The rule was amended to address situations in which PCS is returned to an excavation that has otherwise been determined to be clean. The amendment will provide owners or operators the option of removing and disposing of the PCS as an alternative to the existing requirement to prepare a PCS Treatment Plan. Both options will require action within ninety days. In these situations, removing and properly disposing of PCS would have to be performed in any event if the owner or operator does not choose to prepare a PCS Treatment Plan. Thus, there is no added cost of compliance. The ninety-day deadline has no bearing on the cost of removal and proper disposal.

6. Please provide a written explanation of the agency's and the local government's ability to pay for the new requirements imposed by the proposed rule.

These costs are ordinary costs of conducting the business of the local government entity which will come from the normal operating budgets of the entities. These costs are reimbursable by the Petroleum Underground Storage Tank Release Compensation Board.

7. Please provide a statement on the proposed rule's impact on economic development.

This rule should not have any significant impact on economic development.



**Environmental Rule Adoption/Amendment Form**

Pursuant to Am. Sub. H.B. 106 of the 121st General Assembly, prior to adopting a rule or an amendment to a rule dealing with environmental protection, or containing a component dealing with environmental protection, a state agency shall:

- (1) Consult with organizations that represent political subdivisions, environmental interests, business interests, and other persons affected by the proposed rule or amendment.
  - (2) Consider documentation relevant to the need for, the environmental benefits or consequences of, other benefits of, and the technological feasibility of the proposed rule or rule amendment.
  - (3) Specifically identify whether the proposed rule or rule amendment is being adopted or amended to enable the state to obtain or maintain approval to administer and enforce a federal environmental law or to participate in a federal environmental program, whether the proposed rule or rule amendment is more stringent than its federal counterpart, and, if the proposed rule or rule amendment is more stringent, the rationale for not incorporating its federal counterpart.
  - (4) Include with the proposed rule or rule amendment and rule summary and fiscal analysis required to be filed with the Joint Committee on Agency Rule Review information relevant to the previously listed requirements.
- 

- (A) Were organizations that represent political subdivisions, environmental interests, business interests, and other persons affected by the proposed rule or amendment consulted ? **Yes**

Please list each contact.

See Attachment A.

- (B) Was documentation that is relevant to the need for, the environmental benefits or consequences of, other benefits of, and the technological feasibility of the proposed rule or amendment considered ? **No**

Please indicate the reasons for not providing the information.

ORC 3737.88(E) grants the state fire marshal exclusive jurisdiction to regulate petroleum contaminated soil generated from conducting closure assessments and/or performing corrective actions in response to petroleum releases from regulated underground storage tanks. As there are few programs of this nature, the state fire marshal drafted the rule drawing on the experience and expertise of the BUSTR staff and Ohio EPA, Division of Hazardous Waste.

- (C) Is the proposed rule or rule amendment being adopted or amended to enable the state to obtain or maintain approval to administer and enforce a federal environmental law or to participate in a federal environmental program ?

**Yes**

Is the proposed rule or rule amendment more stringent than its federal counterpart ? **No**

Not Applicable

- (D) If this is a rule amendment that is being adopted under a state statute that establishes standards with which the amendment is to comply, is the proposed rule amendment more stringent than the rule that it is proposing to amend? **No**

## Attachment A – Organizations Consulted

Since January 2007, the Division of State Fire Marshal, Bureau of Underground Storage Tank Regulations (BUSTR) has held several meetings with stakeholders to discuss proposed changes to the BUSTR regulations. These meetings were open to the public and included representatives from a cross section of the regulated community. All participants were encouraged to participate in the open discussions and to submit written comments on any topic that concerned them. In July 2009, BUSTR initiated a web-based petition process to inform the public of the rule review process and to encourage the public to participate in amending the BUSTR regulations. BUSTR has received over 2,300 petitions requesting changes to the BUSTR regulations. Below is a list of dates when BUSTR held meetings with the public to discuss changes to the BUSTR regulations.

**June 29, 2009, Web Based Petition Period Opens.**

[https://www.comapps.ohio.gov/sfm/fire\\_apps/fire/petition/](https://www.comapps.ohio.gov/sfm/fire_apps/fire/petition/)

Copy of web page attached.

**August 19, 2010, Web Based Comment Period Opens.**

[https://www.comapps.ohio.gov/sfm/fire\\_apps/fire/petition/](https://www.comapps.ohio.gov/sfm/fire_apps/fire/petition/)

Copy of web page attached.

**June 3, 2011, Meeting at the Ohio Fire Academy.**

8895 East Main Street, Reynoldsburg, Ohio 43068

List of attendees attached.

**June 21, 2011, Meeting at the Ohio Fire Academy.**

8895 East Main Street, Reynoldsburg, Ohio 43068

List of attendees attached.

**July 7, 2011, Meeting at the Ohio Fire Academy.**

8895 East Main Street, Reynoldsburg, Ohio 43068

List of attendees attached.

**July 21, 2011, Meeting at the Ohio Fire Academy.**

8895 East Main Street, Reynoldsburg, Ohio 43068

List of attendees attached.

**August 4, 2011, Meeting at the Ohio Division of Industrial Compliance.**

6606 Tussing Road, Reynoldsburg, Ohio 43068

List of attendees attached.

**August 18, 2011, Meeting at the Ohio Fire Academy.**

8895 East Main Street, Reynoldsburg, Ohio 43068

List of attendees attached.

**September 8, 2011, Meeting at the Ohio Fire Academy.**

8895 East Main Street, Reynoldsburg, Ohio 43068

List of attendees attached.

**September 22, 2011, Meeting at the Ohio Fire Academy.**

8895 East Main Street, Reynoldsburg, Ohio 43068

List of attendees attached.

**October 6, 2011, Meeting at the Ohio Fire Academy.**

8895 East Main Street, Reynoldsburg, Ohio 43068

List of attendees attached.

**October 20, 2011, Meeting at the Ohio Fire Academy.**

8895 East Main Street, Reynoldsburg, Ohio 43068

List of attendees attached.



## Commerce State Fire Marshal : Document Petition Comment Form

### PETITION/COMMENT INFORMATION

#### BUSTR

**NOTE:** You are outside of the BUSTR petition time period. Any petition submitted today will be considered during the next review cycle.

#### Resources

[BUSTR's Rule Revision/Development Process and Documents \(PDF\)](#) -- **UPDATED WITH NEW DATES**

[Limited Report on Petitions - Detailed Report On All Submitted Petitions For BUSTR Rules 6, 7, 8, and 18 \(PDF\)](#) **NEW**

#### On-Line Applications

[BUSTR Petition / Comment Form](#)

#### CODE ENFORCEMENT

**NOTE:** The Comment Period for the Ohio Fire Code opened on 4/26/2010 and will close on 10/31/2010.

#### Resources

[Draft Proposed Ohio Fire Code - including all changes made in the ROP](#) **NEW**

[Ohio Fire Code Rule Revision/Development Process and Documents \(PDF\)](#) -- **UPDATED**



## Department of Commerce

Division of State Fire Marshal

Ted Strickland, Governor  
Kimberly A. Zurz, Director

### BUSTR Rule Revision/Development Process

The Ohio Department of Commerce, Division of State Fire Marshal, Bureau of Underground Storage Tank Regulations (BUSTR) has begun its mandatory five year rule review for the existing BUSTR administrative rules and is simultaneously drafting new rules to conform to the requirements of the Energy Act of 2005 for three topic areas: (a) owner/operator training, (b) secondary containment, and (c) delivery prohibition. Thus, BUSTR is currently in the process of revising and/or writing four sets of administrative rules:

1. All existing BUSTR administrative rules
2. New administrative rules for owner/operator training
3. New administrative rules for secondary containment
4. New administrative rules for delivery prohibition

Update as of August 2010: To conform to the requirements of the Federal Energy Policy Act of 2005 for secondary containment and delivery prohibition, BUSTR Rules 6, 7, 8 and 18 are being considered separately from the remaining BUSTR rules. All other BUSTR rules, including owner/operator training, will be considered later in the year.

BUSTR values the input of all stakeholders in the regulatory process and encourages your participation in the rule revision/development process.

Generally, the revision/development process involves four steps:

1. **Petition Period** is the period of time when a stakeholder may submit one or more written petitions via the online Petition/Comment form to suggest a revision to an existing, or newly drafted, rule.
  - A compendium of all submitted petitions, along with BUSTR's response to each of them, will be published shortly after the petition period closes. This will be called the "report on petitions" or "ROP."
  - For those who cannot access the online form, the SFM/Code Enforcement Bureau is available to assist.
2. **Comment Period** is the period of time when a stakeholder may submit one or more written comments via the online Petition/Comment form regarding one or more previously submitted petitions.
  - A compendium of all submitted comments, along with BUSTR's response to each of them, will be published shortly after the comment period closes. This will be called the "report on comments" or "ROC."

3. **Ohio's Formal Rule Adoption Process** that involves filing the new draft of the rules with the legislature (referred to as the "final draft" at this point), publishing the final draft in the Register of Ohio, holding a mandatory public hearing, and going through the Joint Committee on Agency Rule Review (JCARR) process for final acceptance.
4. **Publishing and printing** (hard copy and online) of the new and amended BUSTR Rules.

### **The Principles of the Rule/Development Process**

Early in the process, especially where no rule currently exists (e.g., the requirements under The Energy Act of 2005), BUSTR will organize one or more "stakeholder meetings" where the stakeholders, industry representatives, and subject matter experts meet to exchange ideas with the SFM. The purpose of these verbal exchanges is to (a) inform stakeholders about the rule development/revision process, (b) inform stakeholders of what to expect in the initial draft of a future rule, (c) solicit feedback from those present regarding the concepts the SFM presents, and (d) have stakeholders inform the SFM of ideas and concerns, even if they have nothing to do with anything previously presented. At a stakeholder meeting, although there will likely be notes taken, there is generally no exchange or submission of written documents because the focus is on the exchange and explanation of concepts and ideas.

When new (usually Federal) requirements force the development of one or more new rules—such as those required by The Energy Act of 2005—BUSTR produces and distributes an initial draft of each rule (e.g., new administrative rules for owner/operator training and secondary containment) once the bureau is well informed of the ideas, concerns and positions of stakeholders. This initial document then becomes the basis for the subsequent Petition Period, and suggestions for changes to it are submitted to BUSTR through the online Petition/Comment Form.

During the Petition Period, all interested stakeholders may file petitions for proposed BUSTR rule changes. Petitions on any topic may be submitted at any time during the year, but submission prior to the closing date of the Petition Period will provide the stakeholder with the best chance of having the submitted petition considered in the current rule revision cycle. Petitions received after the Petition Period closes will be considered in the next rule revision cycle. After the Petition Period closes, each petition is thoroughly researched, a response is developed (e.g., Report on Petitions or ROP), and a draft of the proposed BUSTR rule (along with the ROP) are recommended to the Department of Commerce for approval. After approval, the ROP is released on the SFM Website, the draft of the proposed BUSTR rule is released to stakeholders, and the Comment Period begins.

During the Comment Period, the Report on Petitions is available for review by any person via the SFM Website, and comments on the petitions may be submitted through the online Petition/Comment Form. After the Comment Period closes, each comment is thoroughly researched, a response is developed (e.g., Report on Comments or ROC), and a final draft of the proposed BUSTR rule (along with the ROC) are recommended to the Department of Commerce for approval. After approval, the ROC is released on the SFM Website and the final draft of the proposed BUSTR rule is submitted to Ohio's formal rules adoption process.

A list of dates relevant to this process can be found below under "Key Timeline/Dates."

### About Completing the Online Petition/Comment Form

Where a rule currently exists (e.g., BUSTR administrative rules), petitions for changes to these existing rules may be submitted anytime using the online Petition/Comment Form.

A petition or comment must be submitted electronically, but anyone without access to the online forms may request assistance from BUSTR (see contact info below). The electronic Petition/Comment form has buttons that will assist the user in correctly formatting text in the petition. New (added) text must be underlined (e.g., new words used) and deleted text must be identified by strikeout (e.g., ~~words deleted~~). All petitions and comments must be submitted electronically no later than 5:00 pm on the day of the deadline identified below. The Petition/Comment Form can be accessed by clicking here.

Questions about the rule revision/development process can be directed to BUSTR at:

Division of State Fire Marshal  
8895 E. Main Street.  
Reynoldsburg, Ohio. 43068

800-686-2878 (Ohio Toll Free) or  
614-752-7938  
email: [webbustr@com.state.oh.us](mailto:webbustr@com.state.oh.us)

To receive email notification of updates placed on the BUSTR Website including changes to the Agenda and when submissions and postings have been made please sign up by sending an email to: [webbustr@com.state.oh.us](mailto:webbustr@com.state.oh.us).

### Instructions for Submitting the Petition/Comment Form:

1. **Please Use Only the Online Petition/Comment Form Provided:**
  - a. Petitions and/or comment submissions on any other form, or in any format, will not be accepted.
  - b. For those who cannot access the online form, SFM/BUSTR is available to assist.
2. **One Petition/Comment Form per Suggested Change/Comment:**
  - a. A single Petition/Comment form must be submitted for each requested change and/or comment. BUSTR can not track multiple comments or requests contained within a single Petition/Comment form.
  - b. The Petition/Comment form must be completed in its entirety in order to be considered in the rule development/revision process.
3. **Please Save a Copy of Your Submitted Petition/Comment**



**Key Timeline Dates:**

Please note that asterisk (\*) denotes items of interest and are addressed below.

|                             |  |
|-----------------------------|--|
| 06/29/09                    | <b><u>Petition Period Opens</u></b><br>BUSTR is accepting Petitions on the following:<br>1. All existing BUSTR administrative rules<br>2. <u>New administrative rules for owner/operator training</u><br>3. <u>New administrative rules for secondary containment</u><br>4. <u>New administrative rules for delivery prohibition</u> |
| 07/30/09**<br>100pm – 400pm | <b><u>Meeting of Stakeholders at Ohio Fire Academy (map)</u></b><br>The voluntary meeting will be followed by a voluntary Stakeholder Intra-Industry Meeting***  |
| 09/18/09                    | <b><u>Petition Period Closes</u></b>   |
| 08/19/10                    | <b><u>BUSTR Publishes Limited ROP on BUSTR Web Site for BUSTR Rules 6, 7, 8 and 18****</u></b>   |
| 08/19/10                    | <b><u>Comment Period Opens for BUSTR Rules 6, 7, 8 and 18</u></b>  |
| 09/03/10                    | <b><u>Comment Period Closes for BUSTR Rules 6, 7, 8 and 18</u></b>   |
| TBA                         | <b><u>BUSTR Publishes Limited ROC on the BUSTR Web site for BUSTR Rules 6, 7, 8 and 18</u></b>   |
| TBA                         | <b><u>Ohio's Formal Rule Adoption Process</u></b><br>- Draft filed with Legislative Service Commission (LSC)<br>- Draft published in the Register of Ohio<br>- JCARR process   |
| TBA                         | <b><u>Rules Accepted, Published and Printed</u></b>  |

\* NOTE: In the event that the ROP is published after the date listed, all subsequent timeline dates will be adjusted accordingly.

\*\* In the interest of achieving an improved understanding of the new BUSTR rule revision/writing process and meeting customer needs, a few agenda items from the previously discussed agenda have been adjusted.

\*\*\* The intra-industry meeting is intended as an opportunity for stakeholders to discuss amongst themselves potential petitions and/or comments of the BUSTR rules. BUSTR personnel may attend, but will not facilitate the discussion, and will only participate by providing information about BUSTR.

\*\*\*\* To conform to the requirements of the Federal Energy Policy Act of 2005 for secondary containment and delivery prohibition, BUSTR Rules 6, 7, 8 and 18 are being considered separately from the remaining BUSTR rules. All other BUSTR rules, including owner/operator training, will be considered later in the year.

BUSTR Underground Storage Tank Rule Meeting, June 3, 2011

|    | NAME             | ORGANIZATION       | TELEPHONE NUMBER | Email                            |
|----|------------------|--------------------|------------------|----------------------------------|
| 1  | Steven Krichbaum | BUSTR              | 614-752-7921     | Steven.Krichbaum@com.state.oh.us |
| 2  | David BIEMEL     | OPMCA              | 614-947-8646     | dbiemel@opmca.org                |
| 3  | Tim THICKSTON    | ADV FUEL SYS       | 614-252-8422     | Tim@ADVfuel.com                  |
| 4  | Mark Schmidt     | Hull Associates    | 440-232-9945     | mschmidt@hullinc.com             |
| 5  | Barry Harrison   | OPMCA / PetroTerra | 330-264-1885     | Barry@FuelNet.com                |
| 6  | Dave Israel      | BUSTR              | 614-752-7225     | disrael@com.state.oh.us          |
| 7  | David Sauer      | BUSTR              | 614-752-7096     | david.sauer@com.state.oh.us      |
| 8  | Scott Sigler     | BUSTR              | 614-752-7928     | Scott.Sigler@com.state.oh.us     |
| 9  | Rick Kyrsten     | BUSTR              | 614-728-5120     | RKRUEBER@Com.STATE.OH.US         |
| 10 | Sharr Richmond   | BUSTR              | 614-752-8963     | srichmond@petroboard.org         |
| 11 | Tim Pocco        | BUSTR / OPMCA      | (230) 562-9391   | tpocco@SAG-Risk.com              |
| 12 | Verne Orger      | BUSTR              | (614) 752-7095   | Verne.Ord@com.state.oh.us        |
| 13 | Kelly Gil        | BUSTR              | 614-252-2941     | KJGil@com.state.oh.us            |
| 14 |                  |                    |                  |                                  |
| 15 |                  |                    |                  |                                  |
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| 20 |                  |                    |                  |                                  |

6/21/11

| <u>Name</u>     | <u>Company</u> | <u>Phone #</u>                                    |
|-----------------|----------------|---|
| Sue Sigler      | BUSTR          | 614-752-7528                                      |
| Steve Thickett  | HAST           | 614-252-0535                                      |
| Mark Schmidt    | Hill Assoc.    | 440-232-9945                                      |
| Starr Richmond  | PUSRLB         | 614-752-8963                                      |
| Jim Rocco       | Pstreb/OPNCA   | (330) 562-9391                                    |
| David Biemel    | CPNCA          | 614-947-8646                                      |
| Barry Henderson | Peters/OPNCA   | 330 264 1885                                      |
| Eric Swaisgood  | Speedway LLC   | 937-608-6126 * Not Part of stakeholder work Group |
| LEERY WILFONG   | KEMRON         | 304-755-0999 * Not Part of stakeholder work Group |
| Dan Adams       | ATZ Assoc.     | 513-505-8481                                      |
| Rick Krueger    | BUSTR          | 614-728-5120                                      |
| Lori Stevens    | BUSTR          | 614-387-7390                                      |
| Dave Israel     | BUSTR          | 614-752-7225                                      |
| David Sauer     | BUSTR          | (614) 752-7096                                    |
| John Gordon     | Englefield o/c | 740-928-8215                                      |
| Kelly G. H      | BUSTR          | (614) 752-7941                                    |
| Verne Orea      | BUSTR          | (614) 752-7095                                    |

BUSTR Underground Storage Tank Rule Meeting  
July 7, 2011

|    | NAME           | ORGANIZATION          | TELEPHONE NUMBER | Email                         |
|----|----------------|-----------------------|------------------|-------------------------------|
| 1  | RICK KRUEGER   | BUSTR                 | 614-728-5120     | RKRUEGER@com.state.oh.us      |
| 2  | Kelly Gill     | BUSTR                 | (614) 768-7541   | KRGill@com.state.oh.us        |
| 3  | Mark Schmidt   | Ault + Associates     | 440-232-9945     | mschmidt@hulphre.com          |
| 4  | Lore Israel    | BUSTR                 | 614-752-7225     | disrael@com.state.oh.us       |
| 5  | John Gordon    | Englefield oil        | 740.928.8215     | JGordon@Englefieldoil.com     |
| 6  | Barry Thompson | Barry Petroleum       | 330 264 1885     | Barry@BarryPetroleum.com      |
| 7  | Scott Sigler   | BUSTR                 | 614-752-7928     | Scott.Sigler@com.state.oh.us  |
| 8  | Dan Adams      | ATC Assoc.            | 513-505-8481     | Dan.Adams@atcassoc.com        |
| 9  | Jim Rocco      | POSTREC/OPTICA        | (330) 562-9391   | JRocco@SAGElist.com           |
| 10 | Lori Stevens   | BUSTR                 | 614-387-7390     | Lori.Stevens@com.state.oh.us  |
| 11 | William Vedra  | BUSTR                 | 614-995-4246     | William.Vedra@com.state.oh.us |
| 12 | David Sauer    | BUSTR                 | (614) 752-7096   | David.sauer@com.state.oh.us   |
| 13 | Tim Thickett   | ADVANCED FUEL SYSTEMS | (614) 252-8422   | TIM@ADVIFUEL.COM              |
| 14 |                |                       |                  |                               |
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BUSTR Rule Meeting  
July 21, 2011

|    | NAME           | ORGANIZATION  | TELEPHONE NUMBER | EMAIL                        |
|----|----------------|---------------|------------------|------------------------------|
| 1  | Scott Sigler   | SFM - BUSTR   | 614-752-7928     | SCOTT.SIGLER@com.state.oh.us |
| 2  | William Veda   | SFM/BUSTR     | 614-75995-4244   | William.Veda@com.state.oh.us |
| 3  | Verne Ord      | SFM/BUSTR     | 614-752-7095     | Verne.Ord@com.state.oh.us    |
| 4  | Shir Richmond  | BUSTR         | 614-752-8963     | srichmond@petroboard.org     |
| 5  | Jim Rocco      | Bustreb/OPRCA | (830) 562-9391   | JRocco@SACEASK.com           |
| 6  | Barry Harrison | Ports/OPRCA   | 3302641885       | Barry@Fornet.com             |
| 7  | Mark Schmidt   | Hull/BP       | 440-232-9945     | mschmidt@hullinc.com         |
| 8  | Paul Truel     | BUSTR         | 614-752-7225     | disrael@com.state.oh.us      |
| 9  | Eric Swaisgood | Speedway      | 937-608-6126     | emswaisgood@speedway.com     |
| 10 | Dan Adams      | ATC-Asso.     | 513-505-8481     | dan.adams@atecassn.net       |
| 11 | Rick Krueger   | BUSTR         | 614-728-5120     | RKRUEGER@com.state.oh.us     |
| 12 | Lori Stevens   | BUSTR         | 614-752-7938     | LStevens@com.state.oh.us     |
| 13 | David Sauer    | BUSTR         | (614) 752-7096   | david.sauer@com.state.oh.us  |
| 14 | Kelly Gill     | BUSTR         | (614) 752-7941   | KGill@com.state.oh.us        |
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BUSTR Underground Storage Tank Rule Meeting  
August 4, 2011

|    | NAME             | ORGANIZATION    | TELEPHONE NUMBER | Email                         |
|----|------------------|-----------------|------------------|-------------------------------|
| 1  | Mark Schmidt     | Hull / BP       | 440-232-9945     | mschmidt@hullinc.com          |
| 2  | David Sauer      | BUSTR           | (614) 752-9096   | david.sauer@com.state.oh.us   |
| 3  | Tim Rocco        | OPMCA / PUSTRCB | (330) 562-9391   | JRocco@SAGEFIRST.COM          |
| 4  | Barry Thompson   | Ports Petroleum | 330 264 1885     | Barry@FUELMART.COM            |
| 5  | John Gordon      | Englefield Oil  | 740-928-8215     | JGordon@EnglefieldOil.com     |
| 6  | Dave Isner       | BUSTR           | 614-752-7725     | dvisner@com.state.oh.us       |
| 7  | Eric Swaisgood   | Speedway        | 937-608-6126     | emswaisgood@Speedway.com      |
| 8  | Dan Adams        | AFC Assoc.      | 513-505-8481     | dan.adams@atascogates.com     |
| 9  | Rick Krueger     | BUSTR           | 614-728-5120     | RKRUEGER@com.state.oh.us      |
| 10 | Scott Sigler     | BUSTR           | 614-752-7928     | Scott.Sigler@com.state.oh.us  |
| 11 | Verne Orde       | BUSTR           | 614-752-7095     | verne.orde@com.state.oh.us    |
| 12 | David Biemel     | OPMCA           | 614 947 8646     | dbiemel@opmca.org             |
| 13 | Steven Kirchbaum | BUSTR           | 614-752-7921     | skirchbaum@com.state.oh.us    |
| 14 | William Vedra    | BUSTR           | 614-995-4246     | William.Vedra@com.state.oh.us |
| 15 | Kelly Gill       | BUSTR           | 614-752-7941     | KGill@com.state.oh.us         |
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BUSTR RULE MEETING - AUGUST 18, 2011

|    | NAME            | ORGANIZATION     | TELEPHONE NUMBER | EMAIL                        |
|----|-----------------|------------------|------------------|------------------------------|
| 1  | William Veda    | SFH / BUSTR      | 614-995-4246     | William.Veda@com.state.pa.us |
| 2  | Rick Krueger    | BUSTR            | 614-728-5120     | RKRUEGER@com.state.pa.us     |
| 3  | Dave Israel     | BUSTR            | 614-752-7225     | disrael@com.state.pa.us      |
| 4  | Eric Swaisgood  | Speedway         | 937-863-6515     | emswaisgood@speedway.com     |
| 5  | Dan Adams       | ATC Assoc.       | 513-505-8481     | dan.adams@ataassociates.com  |
| 6  | Scott Sigler    | BUSTR            | 614-752-7928     | Scott.Sigler@com.state.pa.us |
| 7  | Kelly Gill      | BUSTR            | 614-752-7941     | KTGill@com.state.pa.us       |
| 8  | Verne Ord       | BUSTR            | (614) 752-7095   | verne.ord@com.state.pa.us    |
| 9  | Stur Richmond   | BUSTR CB         | 614-752-8963     | srichmond@petroboard.org     |
| 10 | Jim Rocco       | PustrCB/OPMCA    | (330) 562-9391   | JRocco@SAGERISK.COM          |
| 11 | Mark Schmidt    | Hull/BP          | 440-232-9945     | m.schmidt@hullinc.com        |
| 12 | Bruce Henderson | Port's Petroleum | 330 264 1885     | Bruce@Fuel-Mart.com          |
| 13 |                 |                  |                  |                              |
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BUSTR Underground Storage Tank Rule Meeting  
September 8, 2011

|    | NAME            | ORGANIZATION    | TELEPHONE NUMBER | Email                        |
|----|-----------------|-----------------|------------------|------------------------------|
| 1  | Kelly Gill      | BUSTR           | (614) 752-7941   | Kelly.Gill@com.state.oh.us   |
| 2  | Dave Syme       | BUSTR           | 614-752-7225     | dsyme@com.state.oh.us        |
| 3  | Verne Ord       | SFM/BUSTR       | (614) 752-7095   | verne.ord@com.state.oh.us    |
| 4  | Lori Stevens    | SFM/BUSTR       | 614-387-7390     | Loristevens@com.state.oh.us  |
| 5  | Starr Richmond  | PUSTRUB         | 614-752-8962     | srichmond@petroboard.org     |
| 6  | Barry Henderson | Ports Petroleum | 330 264 1885     | Barry@Fuelnet.com            |
| 7  | Wm Veda         | SFM/BUSTR       | 614 995-4246     | William.Veda@com.state.oh.us |
| 8  | Rick Kaveger    | BUSTR           | 614 728 5120     | RICKAVEGER@com.state.oh.us   |
| 9  | Mark Schmidt    | Hull BP         | 440-232-9945     | mschmidt@hullinc.com         |
| 10 | Tim Rocco       | PUSTRUB/OPMA    | (330) 562-9391   | JRocco@SAGE-RISK.COM         |
| 11 | Eric Swaisgood  | Speedway LLC    | 937 608 6126     | ermswaisgood@Speedway.com    |
| 12 | Keith Martin    | Speedway LLC    | 937 863 4995     | Keith.Martin@Speedway.com    |
| 13 | Dan Evans       | ATC Assoc       | 513-505-8481     | danevans@atacassociates.com  |
| 14 | Scott Sigler    | BUSTR           | 814 752-7928     | Scott.Sigler@com.state.oh.us |
| 15 | David Sauer     | BUSTR           | (614) 752-7096   | david.sauer@com.state.oh.us  |
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8/28/11 10/10/11

1pm - 5pm

Rule 10

BUSTR RULE MEETING - SEPTEMBER 22, 2011

Steno to Send out agenda

|    | NAME            | ORGANIZATION              | TELEPHONE NUMBER | EMAIL                         |
|----|-----------------|---------------------------|------------------|-------------------------------|
| 1  | Rick Krueger    | BVSTR                     | 614-728-5120     | RKRUEGER@Com.State.OH.US      |
| 2  | Starr Richmond  | <del>Starr</del> Board    | 614-752-8963     | starrichmond@petroboard.org   |
| 3  | William Vedra   | BVSTR                     | 614-995-4246     | William.Vedra@com.state.oh.us |
| 4  | Jim Rocco       | OP/PCA / <del>Board</del> | (614) 330-9391   | JRocco@SPACERISK.COM          |
| 5  | Verne Ord       | SFM/BVSTR                 | (614) 752-7095   | verne.ord@com.state.oh.us     |
| 6  | Kelly G. H      | SFM/BVSTR                 | (614) 252-7941   | KHGill@com.state.oh.us        |
| 7  | Mark Schmidt    | BP/Hull                   | 440-232-9945     | mschmidt@hullinc.com          |
| 8  | Don Adams       | ATC Assoc                 | 513-505-8481     | don-adams@petroboard.org      |
| 9  | Scott Sigler    | BVSTR                     | (614) 752-7928   | Scott.Sigler@com.state.oh.us  |
| 10 | Barey Henderson | Peters Petroleum          | 330 264 1885     | Barey@FuelMeet.com            |
| 11 |                 |                           |                  |                               |
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BUSTR Underground Storage Tank Rule Meeting, October 6, 2011

|    | NAME             | ORGANIZATION      | TELEPHONE NUMBER | Email                            |
|----|------------------|-------------------|------------------|----------------------------------|
| 1  | Steven Reichbaum | BUSTR             | (614) 752-7971   | Steven.Reichbaum@com.state.oh.us |
| 2  | W. Veder         | BUSTR             | 614 995 4246     | William.Veder@com.state.oh.us    |
| 3  | Verne Crad       | BUSTR             | 614 752 7095     | Verne.Crad@com.state.oh.us       |
| 4  | Emun Miller      | BUSTR             | 614 728 1897     | Emun.Miller@com.state.oh.us      |
| 5  | Lori Stevens     | BUSTR             | 614 887-7390     | Lori.Stevens@com.state.oh.us     |
| 6  | David Sauer      | BUSTR             | (614) 752-7096   | David.Sauer@com.state.oh.us      |
| 7  | SUE KIST         | SFH TESTING & REG | (614) 995.0301   | SUE.KIST@com.state.oh.us         |
| 8  | BARRY HENDERSON  | PORTS PETROLEUM   | 330 264 1885     | Barry@Fuelnet.com                |
| 9  | DAVID BIEMEL     | OPMCA             | 614 947 8648     | dbiemel@opmca.org                |
| 10 | Jim Kocay        | Pustrub/OPMCA     | (330) 562-9391   | JKocay@sacslisk.com              |
| 11 | Starr Richmond   | Pustrub           | 614 752-8963     | srichmond@petroboard.org         |
| 12 | Mark Schmidt     | Huall/BP          | 440-232-9945     | mschmidt@hullinc.com             |
| 13 |                  |                   |                  |                                  |
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BUSTR Underground Storage Tank Rule Meeting, October 20, 2011

|    | NAME             | ORGANIZATION | TELEPHONE NUMBER | Email                            |
|----|------------------|--------------|------------------|----------------------------------|
| 1  | Steven Krichbaum | BUSTR        | (614) 752-7921   | Steven.Krichbaum@com.state.oh.us |
| 2  | David Sauer      | BUSTR        | (614) 752-7096   | David.Sauer@com.state.oh.us      |
| 3  | Steve Thickstun  | MAST/AFS     | (614) 252-8422   | Steve@advfuel.com                |
| 4  | Sheryl Knapp     | SFM / TWR    | 614-387-0570     | Sheryl.Knapp@com.state.oh.us     |
| 5  | Scott Sigler     | SFM / BUSTR  | 614-752-7928     | Scott.Sigler@com.state.oh.us     |
| 6  | Eileen Munen     | SFM / BUSTR  | 614-725-1212     | EMUNEN@COM.STATE.OH.US           |
| 7  | William Vedra    | SFM / BUSTR  | 614 995-4240     | William.Vedra@COM.STATE.OH.US    |
| 8  | Verne Orol       | SFM / BUSTR  | 614-752-7095     | verne.orol@com.state.oh.us       |
| 9  | John Richmond    | BUSTRB       | 614-752-8963     | srichmond@petroboard.org         |
| 10 | Mark Schmidt     | Hull/BP      | 440-232-9945     | mschmidt@hullinc.com             |
| 11 | Lori Stevens     | BUSTR        | 614-387-7390     | Lori.Stevens@Com.state.oh.us     |
| 12 | David Bieme      | OPMCA        | 614-947-8646     | dbieme1@opmca.org                |
| 13 |                  |              |                  |                                  |
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