

## Rule Summary and Fiscal Analysis

### Part A - General Questions

**Rule Number:** 3737-1-03  
**Rule Type:** Amendment  
**Rule Title/Tagline:** Definitions.  
**Agency Name:** Petroleum Underground Storage Tank Release Compensation Board  
**Division:**  
**Address:** 4151 Executive Parkway Suite 350 Westerville OH 43081  
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#### I. Rule Summary

1. **Is this a five year rule review?** No
  - A. **What is the rule's five year review date?** 7/31/2019
2. **Is this rule the result of recent legislation?** No
3. **What statute is this rule being promulgated under?** 119.03
4. **What statute(s) grant rule writing authority?** 3737.90
5. **What statute(s) does the rule implement or amplify?** 3737.91, 3737.92
6. **What are the reasons for proposing the rule?**

The proposed rule amendment is being filed to add definitions for the terms "confirmed release" and "release incident".

7. **Summarize the rule's content, and if this is an amended rule, also summarize the rule's changes.**

This rule provides definitions for the purposes of clarifying the meaning of terms as they appear in sections 3737.90 to 3737.98 of the Revised Code and rules 3737-1-01 to 3737-1-23 of the Administrative Code.

The Board proposes to amend the rule to add the term "confirmed release" as it is defined in the fire marshal's rule 1301:7-9-13. The term "release incident" is also being added and means a "release," "suspected release," or "confirmed release," whichever is first discovered. In general, this new term will replace the existing phrase "suspected release or release, whichever is first" throughout the Board's rules.

- 8. Does the rule incorporate material by reference? No**
- 9. If the rule incorporates material by reference and the agency claims the material is exempt pursuant to R.C. 121.71 to 121.76, please explain the basis for the exemption and how an individual can find the referenced material.**

*Not Applicable*

- 10. If revising or re-filing the rule, please indicate the changes made in the revised or re-filed version of the rule.**

*Not Applicable*

## **II. Fiscal Analysis**

- 11. As a result of this proposed rule, please estimate the increase / decrease in revenues or expenditures affecting this agency, or the state generally, in the current biennium or future years. If the proposed rule is likely to have a different fiscal effect in future years, please describe the expected difference and operation.**

This will have no impact on revenues or expenditures.

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Not Applicable.

- 12. What are the estimated costs of compliance for all persons and/or organizations directly affected by the rule?**

Not Applicable.

- 13. Does the rule increase local government costs? (If yes, you must complete an RSFA Part B). No**

- 14. Does the rule regulate environmental protection? (If yes, you must complete an RSFA Part C). No**

### **III. Common Sense Initiative (CSI) Questions**

**15. Was this rule filed with the Common Sense Initiative Office? Yes**

**16. Does this rule have an adverse impact on business? No**

- A. Does this rule require a license, permit, or any other prior authorization to engage in or operate a line of business? No**
  
- B. Does this rule impose a criminal penalty, a civil penalty, or another sanction, or create a cause of action, for failure to comply with its terms? No**
  
- C. Does this rule require specific expenditures or the report of information as a condition of compliance? No**