

## Rule Summary and Fiscal Analysis

### Part A - General Questions

**Rule Number:** 3737-1-12

**Rule Type:** Amendment

**Rule Title/Tagline:** Application for reimbursement.

**Agency Name:** Petroleum Underground Storage Tank Release Compensation Board

**Division:**

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#### I. Rule Summary

1. **Is this a five year rule review?** Yes
  - A. **What is the rule's five year review date?** 11/29/2019
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?** 3737.92
6. **What are the reasons for proposing the rule?**

This rule is being filed in accordance with the five-year rule review requirement of section 106.03 of the Revised Code.

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

This rule provides the requirements for filing a Claim Reimbursement Application and sets the deadlines for the responsible person to submit the application.

Paragraph (A) is being amended to clarify that the Claim Reimbursement Application is a form prescribed by the director. Paragraphs (B)(6) and (B)(7) are being amended to replace the language "an above described program task" with "a program task described in this paragraph." The word "summary" is being inserted in paragraphs (D)(7) and (E)(7) to conform with the report names as they are used within the fire marshal's rules. The proposed amendment to paragraph (E)(1) changes the deadline for submitting an application for reimbursement for immediate corrective action costs to one year from the date the immediate corrective action report is required to be submitted to the fire marshal. This proposed change makes the filing deadline consistent with the claim filing deadlines of the other program tasks described in the rule. The text "tier 1 delineation notification" is being removed from paragraph (E) (3) because the fire marshal's rule 1301:7-9-13 effective September 1, 2017, does not require a tier 1 delineation notification report to be submitted.

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? Yes**
  - 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? Yes**

In order to receive reimbursement for corrective action costs from the Fund, the rule requires the responsible person to file a Claim Reimbursement Application and to document in both technical and financial terms the costs for which reimbursement is being sought. It requires administrative time and costs for copying and printing in order to provide the information required to be submitted with the Claim Reimbursement Application. A responsible person that chooses to hire a consultant to complete and submit the application on its behalf will incur an expenditure for the consultant's services.