

**NOTICE OF PUBLIC HEARING**

Notice is hereby given that the State Fire Marshal, Bureau of Underground Storage Tank Regulations ("BUSTR"), pursuant to Section 119.03 of the Ohio Revised Code, has filed new and rescinded rules related to the release prevention requirements applicable to owners and operators of underground storage tank ("UST") systems found in Ohio Administrative Code Chapter 1301:7-9.

BUSTR intends to rescind and replace certain administrative rules, and to propose a new rule, as described below:

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| 1301:7-9-06 | Design, construction, installation, modification and major repair for UST systems. (RESCIND) |
| 1301:7-9-06 | Design, construction, installation, operation and maintenance for UST systems. (NEW)         |
| 1301:7-9-07 | Release detection requirements and methods for UST systems. (RESCIND)                        |
| 1301:7-9-07 | Release detection methods and requirements for UST systems. (NEW)                            |
| 1301:7-9-08 | Operating requirements for UST systems. (RESCIND)  |
| 1301:7-9-18 | Delivery prohibition for USTs. (NEW)   |

BUSTR is taking these rule actions for the following reasons:

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|-------------|--|
| 1301:7-9-06 | More than 50% of the Rule 1301:7-9-06 is being amended, thus the existing rule is being rescinded and the rule is being filed as a new rule under the same rule number. The new rule contains some of the operating requirements previously found in 1301:7-9-08, and it also incorporates the secondary containment requirements as specified under the "Grant Guidelines To States For Implementing The Secondary Containment Provision Of The Energy Policy Act Of 2005." |
| 1301:7-9-07 | More than 50% of the Rule 1301:7-9-07 is being amended, thus the existing rule is being rescinded and the rule is being filed as a new rule under the same rule number. The new rule contains some of the operating requirements previously found in 1301:7-9-08, and it also contains language necessary to meet the requirements of the federal Energy Policy Act of 2005 by incorporating standards for leak detection methods published in federal guidelines.           |
| 1301:7-9-08 | The rule is to be rescinded and its provisions are to be incorporated in the new versions of 1301:7-9-06 and 1301:7-9-07.  |
| 1301:7-9-18 | The new rule specifies the requirements that permit the State Fire Marshal to designate a tank for prohibition of delivery in accordance with the "Grant Guidelines To States For Implementing The Delivery Prohibition Provision Of The Energy Policy Act Of 2005."   |

A public hearing regarding these proposed actions is scheduled for:

**Wednesday, December 29, 2010 at 10:00 a.m.**  
State Fire Marshal-Bureau of Underground Storage Tank Regulations  
8895 East Main Street  
Reynoldsburg, Ohio 43068

Comments on the rules will be accepted until 5:00 p.m. on **Wednesday, December 29, 2010**, and may be sent to:

Andrew D. Thompson, Chief  
Bureau of Underground Storage Tank Regulations  
8895 East Main Street  
Reynoldsburg, Ohio 43068  
or via e-mail at: [Web.BUSTR@com.state.oh.us](mailto:Web.BUSTR@com.state.oh.us)