

**Ohio Department of Commerce****Division of State Fire Marshal**

8895 East Main Street
Reynoldsburg, OH 43068
(614) 752-8200 FAX (614) 752-7213
www.com.state.oh.us

Bob Taft
Governor

Lt. Governor Jennette Bradley
Director

Public Notice of changes to State Fire Marshal Rules

The State Fire Marshal is considering revision of the State Fire Marshal (SFM) administrative rules implementing both the underground storage tank program and corrective action program for releases from underground petroleum storage tanks established by the "Resource Conservation and Recovery Act of 1976," 90 Stat. 2795, 42 U.S.C.A. 6901, as amended. In accordance with this intent and pursuant to Sections 119.03, 119.032, and 3737.88 to 3737.882 of the Ohio Revised Code (R.C.), the State Fire Marshal will conduct a public hearing at **10:00 a.m.** on **December 29, 2004**, at the Office of the State Fire Marshal, **8895 East Main Street, Reynoldsburg, OH 43086**. The purpose of the hearing is to receive public comment on the following proposed new rules of the Ohio Administrative Code (OAC) and the proposed rescission of the following current rules of the OAC.

RULES TO BE ADOPTED: OAC rules 1301:7-9-06, 1301:7-9-07, 1301:7-9-08, 1301:7-9-10, 1301:7-9-12, 1301:7-9-13, 1301:7-9-15, 1301:7-9-16, and 1301:7-9-17 are being proposed as new rules of the OAC. The SFM proposes these rules to update: the design, construction, and installation standards for underground storage tank (UST) systems; leak detection requirements and methods for UST systems; general operating requirements for UST systems; requirements for out of service, closed in place, removal, change in service, and closure site assessment of UST systems; and the standards for the certification of underground storage tank inspectors. The SFM also proposes these rules to update the corrective action standards for releases of petroleum from UST systems and the standards for the shipping, treatment and disposal of petroleum contaminated soil.

RULES TO BE RESCINDED: OAC rules 1301:7-9-06, 1301:7-9-07, 1301:7-9-08, 1301:7-9-10, 1301:7-9-12, 1301:7-9-13, 1301:7-9-14, 1301:7-9-15, 1301:7-9-16, and 1301:7-9-17 are proposed to be rescinded as rules of the OAC. All of the rules to be rescinded have the same general scope, intent and purpose as those rules listed above under the "RULES TO BE ADOPTED" portion of this notice. These rules are proposed for rescission so that the above listed rules under the "RULES TO BE ADOPTED" portion of this notice can be properly adopted for use in Ohio.

RULES TO BE AMENDED: OAC rules 1301:7-9-01, 1301:7-9-02, 1301:7-9-03, 1301:7-9-04, 1301:7-9-09, and 1301:7-9-11 are proposed to be amended as rules of the OAC. The SFM proposes to amend these rules to clarify the regulatory status of certain underground storage tank systems, and to revise the certification requirements for underground storage tank installers.

The full text of the proposed rules has been filed in electronic format with the Secretary of State, the Legislative Service Commission, the Joint Committee on Agency Rule Review, the Office of Small Business and the State Fire Commission as required by law. The full text of the proposed rules is available at the following web site www.registerofohio.state.oh.us

Information concerning the hearing and the rules is available prior to the hearing from www.com.state.oh.us or:

Division of State Fire Marshal
Bureau of Underground Storage Tank Regulations
8895 East Main Street
Reynoldsburg, Ohio 43068