

**Public Hearing**  
**Ohio Environmental Protection Agency**  
**Five-Year Rule Review of Ohio Administrative Code (OAC) rules 3745-19-01**  
**through 19-05 and new OAC rule 3745-19-06**  
**Revised Hearing Date**

Notice is hereby given that the Ohio Environmental Protection Agency, Division of Air Pollution Control (DAPC) has performed a review of the above referenced rules primarily to satisfy the requirements of Section 119.032 of the Ohio Revised Code (five-year review). This notice is also given to advise the public of the revised hearing date for these rules which has been scheduled for March 1, 2006. This meeting replaces the previously advertised hearing scheduled for this chapter. The time and location are detailed below. The DAPC finds the following rules to be necessary and with need for changes.

OAC rule 3745-19-01:	Definitions
OAC rule 3745-19-02:	Relations to other prohibitions
OAC rule 3745-19-03:	Open burning in restricted areas
OAC rule 3745-19-04:	Open burning in unrestricted areas
OAC rule 3745-19-05:	Permission to individuals and notification to the Ohio EPA

The DAPC also proposes to incorporate the following new rule and appendix:

OAC rule 3745-19-06:	Open burning unilateral order
OAC rule 3745-19-03:	Appendix: Open burning of storm debris

The amendments are being proposed to incorporate new language that resulted from questions and comments received over the past few years from both DAPC staff in field offices and those parties directly affected by the regulations. These include some proposed minor amendments in the existing rules of this chapter for rule clarification, the incorporation of new purposes of open burning such as "emergency burning", "recreational campfires" and "disposal of hazardous explosive materials, and one new rule, OAC rule 3745-19-06, Open burning unilateral order.

Pursuant to Section 121.39 of the Ohio Revised Code, DAPC was required to consult with interested parties affected by the rules before the division formally proposes them. On August 2, 2005, these rules went out for a 30 day review by interested parties.

Pursuant to Section 119.03 of the Ohio Revised Code, a public hearing on these rule changes will be conducted on March 1, 2006, at 12:00 Noon in Conference Room A, 5<sup>th</sup> Floor at Ohio EPA, Lazarus Government Center, 122 South Front Street, Columbus, Ohio.

All interested persons are entitled to attend or be represented at the hearing and give written or oral comments on these rule changes. This comment period has been

extended from the previously published date due to the revised hearing schedule. All oral comments presented at the hearing, and all written statements submitted at the hearing or by the close of business on March 2, 2006, will be considered by Ohio EPA prior to final action on this rule. Written statements submitted after March 2, 2006 may be considered as time and circumstances permit, but will not be part of the official record of the hearing.

These rules are available on the Web page for electronic downloading by clicking on "regulations" under the " topics" drop-down box. The URL is: <http://www.epa.state.oh.us/dapc/regs/regs.html>. Questions regarding accessing the web site should be directed to Arunee Niamlarb at 614-728-1342; other questions or comments about these rules should be directed to Lee Burkleca at Ohio EPA, (614) 728-1344, [lee.burkleca@epa.state.oh.us](mailto:lee.burkleca@epa.state.oh.us), or mailed to Lee Burkleca, Ohio EPA, Division Air Pollution Control, Lazarus Government Center, P.O. Box 1049, Columbus, Ohio 43216-1049.