

Public Hearing
Ohio Environmental Protection Agency
Five-Year Rule Review of Ohio Administrative Code (OAC)
rules 3745-76-01 to OAC rule 3745-76-15

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). The DAPC finds the following rules to be necessary and with need for changes. The DAPC proposes to amend the following Ohio Administrative Code (OAC) rules:

- 3745-76-01, Definitions
- 3745-76-02, Designated facilities
- 3745-76-03, Control requirements for municipal solid waste landfills
- 3745-76-04, Test methods and procedures
- 3745-76-06, Compliance times
- 3745-76-07, Standards for air emissions from municipal waste landfills
- 3745-76-08, Operational standards for collection and control systems
- 3745-76-09, Test methods and procedures
- 3745-76-10, Compliance provisions
- 3745-76-11, Monitoring of operations
- 3745-76-12, Reporting requirements
- 3745-76-13, Record keeping requirements
- 3745-76-14, Specifications for active collection systems
- 3745-76-15, Flare requirements

Changes to these rules were made to better match the Federal rules and to update them to include modifications (Tier 2) to the Federal rules, to address style and formatting issues to match LSC guidelines, and to update and clarify authorizing and amplifying statutes.

The DAPC proposes to rescind the following rule because its requirements are covered under another section, making this rule redundant:

- 3745-76-05, Reporting and record keeping guidelines

Pursuant to Section 121.39 of the Ohio Revised Code, DAPC is required to consult with interested parties affected by the rules before the division formally proposes them. On March 28, 2006 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 August 21, 2006, at 10:00 AM, in Conference Room C on the 5th 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. All oral comments presented at the hearing, and all written statements submitted at the hearing or by the close of business on August 21, 2006, will be considered by Ohio EPA prior to final action on this rule. Written statements submitted after August 21, 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 Cheryl E. Suttman at Ohio EPA, (614) 644-3617, cheryl.suttman@epa.state.oh.us or mailed to Cheryl Suttman, Ohio EPA, Division Air Pollution Control, Lazarus Government Center, P.O. Box 1049, Columbus, Ohio 43216-1049.