

BEFORE THE OHIO ENVIRONMENTAL PROTECTION AGENCY
PUBLIC NOTICE OF PROPOSED RULE-MAKING
 GOVERNING HAZARDOUS WASTE MANAGEMENT

Why is Ohio EPA proposing these rules?

The purpose of this proposed rule-making is primarily to submit these rules under Ohio Revised Code (ORC) section 119.032, which requires their review every five years. As part of that review, Ohio EPA proposes to: submit 4 rules for review without amendment (no-change rules); rescind 1 rule because its content is covered in another existing rule; and amend 7 rules to remove unnecessary language, correct rule references, address Senate Bill (SB)189 regarding fees, address SB265 regarding cross-references, make some rules more clearly consistent with statute, and clarify meaning by making minor wording corrections. In addition, 8 rules will be amended in only the "rule amplifies" and/or "statutory authority" sections; the content (text) of these 8 rules will not change.

What rules does Ohio EPA propose to amend, rescind, and submit without changes?

Here is the list of rules being proposed and submitted, showing what Ohio EPA is proposing for each one:

Action	Rule #	Rule Title
Amend	3745-50-31	Exemptions
Amend	3745-50-32	Definitions
Amend	3745-50-33	Fees for the off-site disposal of hazardous waste
Amend	3745-50-34	Fees for the on-site or satellite disposal of hazardous waste
Amend	3745-50-35	Fees for the treatment of hazardous waste
Amend *	3745-50-37	Permit application fee
Rescind	3745-50-47	Withdrawal of permits
Amend *	3745-50-52	Transfer of permits
Amend *	3745-52-40	Recordkeeping
Amend	3745-54-56	Emergency procedures
Amend *	3745-54-75	Annual report
Amend	3745-54-77	Additional reports
No-change	3745-55-44	Cost estimate for post-closure care
Amend *	3745-65-33	Testing and maintenance of equipment
Amend *	3745-65-75	Annual report
Amend *	3745-66-74	Inspections
No-change	3745-270-05	Procedures for case-by-case extensions to an effective date
No-change	3745-270-06	Petitions to allow land disposal of a waste prohibited under rules 3745-270-30 to 3745-270-39 of the Administrative Code
No-change	3745-270-44	Variance from a treatment standard
Amend *	3745-279-01	Definitions pertaining to used oil management standards

* These rules are amended only in the statutory authority and/or rule amplifies section; the rule text is not amended.

When can I tell Ohio EPA what I think about these proposed amendments?

Ohio EPA will conduct a public hearing pursuant to ORC sections 119.02 through 119.04 on Friday, January 19, 2007 beginning at 10:00a.m. in conference room C at the Ohio Environmental Protection Agency, Lazarus Government Center, 50 West Town Street, Columbus, Ohio. [Please note that this is a new address but our agency has not moved. We're still in the Lazarus building, but our street entrance is scheduled to be relocated from 122 South Front Street to 50 West Town Street in early January.] All interested parties are invited to attend or be represented and give their written or verbal comments on this proposed rule-making. A presiding officer will be present until 11:00a.m. or until all interested parties have been heard if that time interval is insufficient.

How and when do I provide my comments to Ohio EPA on these proposed rules?

To provide notice of intent to give verbal comments at the public hearing, contact Ms. Kit Arthur at 614/644-2932. To facilitate scheduling of verbal presentations, people who intend to give testimony at the hearing should ensure that Ohio EPA receives notice of such intent by 5:00 p.m. on the day before the hearing, Thursday, January 18, 2007. Those who provide Ohio EPA with prior notice will be heard before those who register at the hearing.

Written communications may be filed with the presiding officer during the public hearing; however, they may be provided to Ms. Arthur at a later date. In order to assure that written communications are considered as part of the official record of this hearing, written communications must be received by Ohio EPA by 5:00 p.m. Friday, February 16, 2007, which is four weeks after the public hearing.

How do I get a copy of these proposed rules?

These rules may be accessed electronically via the Register of Ohio at <http://www.RegisterOfOhio.state.oh.us/index>. To access by agency, enter "3745 Environmental Protection Agency" and then enter the rule number. If you need a hard copy of these rules, please call Ms. Arthur at 614/644-2932.

Who do I call if I have questions about these proposed rules?

Questions concerning this proposed rule-making may be addressed to Ms. Arthur at 614/644-2932.