

**MEMBERS OF THE PETROLEUM
UNDERGROUND STORAGE TANK
RELEASE COMPENSATION BOARD**

As of August 6, 1999

James R. Rocco, Chairman

John H. Hull, P.E., Vice-Chairman

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Bob Teepen

Marilyn E. Ward

Ex Officio Members

Gary Suhadolnik, Director
Ohio Department of Commerce

Joseph Deters
Treasurer, State of Ohio

Chris Jones, Director
Ohio Environmental Protection Agency

Petroleum UST Release Compensation Board
P.O. Box 163188
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(614) 752-8963
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**THE PETROLEUM
UNDERGROUND
STORAGE TANK RELEASE
COMPENSATION BOARD**

RULES PROCESS



THE PETROLEUM UNDERGROUND STORAGE TANK RELEASE COMPENSATION BOARD

MISSION

The Board is committed to serving Ohio's petroleum underground storage tank owners and operators by managing the Financial Assurance Fund on a sound fiscal basis while efficiently providing financial assistance to remediate contamination caused by releases from assured petroleum underground storage tanks.

The Board was established in 1989 by the Ohio General Assembly to administer and manage the Ohio Financial Assurance Fund. The Fund was created in response to a federal mandate that requires owners and operators of petroleum underground storage tanks to demonstrate that they have the financial capability to pay for corrective actions caused by releases of petroleum from their tanks to the environment or costs for third party liability due to bodily injury or property damage. Moneys in the Fund are used solely for the reimbursement of corrective action or third-party liability costs, costs to administer the Fund, and payment of principal and interest on revenue bonds issued by the Board.

How The Board Is Organized

The Board consists of nine members appointed by the Governor with the advice and consent of the senate. The State Treasurer and the directors of the Department of Commerce and the Ohio Environmental Protection Agency serve as ex officio members. The Board meets quarterly, at a minimum, and employs a full time staff to implement and administer its programs. Revised Code §3737.90 describes the Board and its authority.

Rule Making Authority

Through Revised Code §3737.90 (B), the General Assembly granted the Board broad authority to adopt, amend and rescind rules as necessary or appropriate to implement and administer the Financial Assurance Fund.

Rule Making Process

Each year the Board Chairman appoints a rules committee, and the committee subsequently holds one or more meetings to consider promulgating new rules, revising existing rules, or rescinding existing rules. The committee's agenda is developed in a number of ways. A rule may be selected for review because of statutory requirements, or because of recent court decisions. Input from the staff or from petroleum underground storage tank owners or operators, or their consultants, may define issues for the committee's review. Finally, changes in the State Fire Marshal's corrective action rules may require amending the Board's rules.

At the end of its review, the committee seeks comments from interested parties, in conformance with Revised Code §121.39, and reports its recommendations and any comments from the interested parties to the Board at a regularly scheduled Board meeting. Final approval to initiate proposed changes is made by the Board and a public hearing is scheduled.

After the approved rules changes are filed with the appropriate state agencies, public notice of the proposed changes is given to representative organizations and individuals requesting such notice, and the Board holds a public hearing within 31 to 40 days from the rules filing.

Opportunities for Public Participation

The Board welcomes the participation of its constituents and other interested parties in the process of producing effective rules. Opportunities to participate include the following:

Provide Written Input At Any Time!

The Board welcomes comments at any time concerning its rules or programs. Any comments or suggestions regarding the Board's rules that are written or faxed to the Board's offices will be presented to the rules committee during its next scheduled review of the rules. The Board can be contacted as follows:

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PO Box 163188
Columbus, OH 43216-3188
Phone: (614) 752-8963
Fax: (614) 752-8397

Attend Rules Committee Meetings!

You may request to be placed on a list to be notified of rules committee meetings and you may attend. Public comment at the rules committee meetings is at the sole discretion of the committee chairman.

Attend Public Hearings!

You may request to be placed on a list to be notified of public hearings being held by the Board concerning rules changes. Information will also be available on the Board's web site and, in addition, public hearing notices are published in the legal notice section of newspapers throughout the state. Individuals may present their positions at the public hearing orally and/or in writing. The Board reviews and considers all comments concerning its proposed rules.