

# Hearing Summary

Rule Package: Generator Improvement, Export/Import, & CCR, e-manifest, Pharmaceuticals & Air Bags

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Original filing date: 7/13/20

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Public comment start date: 7/13/20

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Public comment end date: 8/17/20

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Public hearing date: 8/17/20

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List of Rules: 3745-50-02, 3745-50-04, 3745-50-05, 3745-50-10, 3745-50-11, 3745-50-28, 3745-50-45, 3745-51-01, 3745-51-04, 3745-51-05, 3745-51-06, 3745-51-07, 3745-51-11, 3745-51-30, 3745-51-33, 3745-51-39, 3745-52-01, 3745-52-10, 3745-52-11, 3745-52-12, 3745-52-13, 3745-52-14, 3745-52-15, 3745-52-16, 3745-52-17, 3745-52-18, 3745-52-20, 3745-52-24, 3745-52-25, 3745-52-32, 3745-52-34, 3745-52-35, 3745-52-40, 3745-52-41, 3745-52-44, 3745-52-44, 3745-52-50, 3745-52-60, 3745-52-80, 3745-52-200, 3745-52-201, 3745-52-202, 3745-52-203, 3745-52-204, 3745-52-207, 3745-52-208, 3745-52-209, 3745-52-210, 3745-52-211, 3745-52-212, 3745-52-213, 3745-52-214, 3745-52-216, 3745-52-230, 3745-52-231, 3745-52-232, 3745-52-233, 3745-52-250, 3745-52-251, 3745-52-252, 3745-52-253, 3745-52-254, 3745-52-255, 3745-52-256, 3745-52-260, 3745-52-261, 3745-52-262, 3745-52-263, 3745-52-264, 3745-52-265, 3745-53-10, 3745-53-11, 3745-53-12, 3745-53-20, 3745-53-21, 3745-53-25, 3745-54-01, 3745-54-12, 3745-54-15, 3745-54-71, 3745-54-75, 3745-55-70, 3745-55-74, 3745-55-91, 3745-65-01, 3745-65-12, 3745-65-15, 3745-65-71, 3745-65-75, 3745-65-75, 3745-66-74, 3745-66-90, 3745-66-93, 3745-66-101, 3745-69-01, 3745-256-200, 3745-266-70, 3745-266-80, 3745-266-108, 3745-266-111, 3745-266-255, 3745-266-500, 3745-266-501, 3745-266-502, 3745-266-503, 3745-266-504, 3745-266-505, 3745-266-506, 3745-266-507, 3745-266-508, 3745-266-509, 3745-266-510, 3745-270-01, 3745-270-07, 3745-270-50, 3745-273-08, 3745-273-13, 3745-273-33, 3745-273-39, 3745-273-62, 3745-273-80, 3745-273-81, 3745-279-10

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Were there any participants in this public hearing beyond Ohio EPA staff or JCARR staff?

☒ Yes

☐ No

Were there comments received during the public comment period outside of those presented at this hearing?

☒ Yes

☐ No

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This hearing summary has been compiled to meet the requirements of Section 119.03 of the Revised Code.



# Hearing Summary

This hearing summary includes this cover sheet and the following attachments:

1. **Attachment A** - A copy of the public notice for this hearing.
2. **Attachment B** - A copy of the sign-in sheet for this hearing.
3. **Attachment C** - A copy of the script read into the record to begin and end the hearing.
4. **Attachment D** - A copy of the response to comments.

Ohio EPA's response to comments document includes the comments received, who commented, the agency response to comments, and a statement of whether or not the rule was changed due to the comments.

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Ohio EPA digitally records all public hearings for rules. The digital recordings are available upon request in a Moving Picture Expert Group-4 (.mp4) file format. These recordings may be sent out for transcription if necessary.

## Attachment A

**BEFORE THE  
OHIO ENVIRONMENTAL PROTECTION AGENCY**

**Public Notice  
Proposed Rulemaking Governing  
Hazardous Waste Management**

Notice is hereby given that the Director of Environmental Protection, under the authority of Sections 3734.02, 3734.05, and 3734.12 of the Ohio Revised Code and in accordance with Chapter 119, proposes to originally file amended, rescinded, and new rules of the Ohio Administrative Code as follows:

Rule number	Rule title * means this is the amended title	Action
3745-50-02	Business confidentiality- hazardous waste management	New
3745-50-04	Manifest copy submittal requirements for certain interstate waste shipments	New
3745-50-05	Applicability- electronic manifest system and user fee requirements for facilities that receive state-only regulated waste shipments	New
3745-50-10	Definitions and computation of time	Amended
3745-50-11	Incorporated by reference	Amended
3745-50-28	Procedures for case-by-case regulation of hazardous waste recycling activities	Amended
3745-50-45	Special inclusions and exclusions for hazardous waste permits	Amended
3745-51-01	Purpose and scope of Chapter 3745-51 of the Administrative Code	Amended
3745-51-04	Exclusions	Amended
3745-51-05	Special requirements for hazardous waste generated by conditionally exempt small quantity generators	Rescinded
3745-51-06	Requirements for recyclable materials	Amended
3745-51-07	Residues of hazardous waste in empty containers	Amended
3745-51-11	Criteria for listing hazardous waste	Amended
3745-51-30	Lists of hazardous wastes- general	Amended
3745-51-33	Discarded commercial chemical products, off-specification species, container residues, and spill residues thereof	Amended
3745-51-39	Conditional exclusion for used, broken CRTs and processed CRT glass undergoing recycling	Amended
3745-52-01	Definitions- generator standards	New
3745-52-10	Applicability- generator standards	Rescinded
3745-52-10	Applicability- generator standards	New
3745-52-11	Hazardous waste determination	Rescinded

Rule number	Rule title * means this is the amended title	Action
3745-52-11	Hazardous waste determination and recordkeeping	New
3745-52-12	Generator identification numbers	Rescinded
3745-52-13	Generator category determinations	New
3745-52-14	Conditions for exemption for very small quantity generators	New
3745-52-15	Satellite accumulation area requirements for small quantity generators and large quantity generators	New
3745-52-16	Conditions for exemption for small quantity generators that accumulate hazardous waste	New
3745-52-17	Conditions for exemption for large quantity generators that accumulate hazardous waste	New
3745-52-18	U.S. EPA identification numbers and re-notification for small quantity generators and large quantity generators	New
3745-52-20	Manifest- general requirements	Amended
3745-52-24	Use of the electronic manifest	New
3745-52-25	Electronic manifest signatures	New
3745-52-32	Marking	Amended
3745-52-34	Accumulation time of hazardous waste	Rescinded
3745-52-35	Liquids in landfills prohibition	New
3745-52-40	Recordkeeping for small quantity generators and large quantity generators	Amended
3745-52-41	Biennial report- generator standards	Rescinded
3745-52-41	Biennial report for large quantity generators	New
3745-52-44	Recordkeeping and reporting requirements for generators of between one hundred and one thousand kilograms per month	Rescinded
3745-52-44	Recordkeeping for small quantity generators	New
3745-52-50	Applicability- exports of hazardous waste to a foreign country	Rescinded
3745-52-60	Imports of hazardous waste from a foreign country	Rescinded
3745-52-80	Applicability- transboundary movement of hazardous waste for recovery or disposal	New
3745-52-200	Definitions- university labs	Amended
3745-52-201	Applicability- university labs	Amended
3745-52-202	Use of the university lab rules is an option	Amended
3745-52-203	Notification requirement- university labs *	Amended
3745-52-204	Withdrawal notification- university labs *	Amended
3745-52-207	Training- university labs *	Amended

Rule number	Rule title * means this is the amended title	Action
3745-52-208	Removing containers of unwanted material from the laboratory	Amended
3745-52-209	Where and when to make the hazardous waste determination and where to send containers of unwanted material upon removal from the laboratory	Amended
3745-52-210	Making the hazardous waste determination in the laboratory before the unwanted material is removed from the laboratory	Amended
3745-52-211	Making the hazardous waste determination at an on-site central accumulation area	Amended
3745-52-212	Making the hazardous waste determination at an on-site interim or permitted treatment, storage, or disposal facility	Amended
3745-52-213	Laboratory clean-outs	Amended
3745-52-214	Laboratory management plan	Amended
3745-52-216	Non-laboratory hazardous waste generated at an eligible academic entity	Amended
3745-52-230	Applicability- alternative standards for episodic generation	New
3745-52-231	Definitions- alternative standards for episodic generation	New
3745-52-232	Conditions for generators that manage hazardous waste from an episodic event	New
3745-52-233	Petition to manage one additional episodic event per calendar year	New
3745-52-250	Applicability- preparedness, prevention, and emergency procedures for large quantity generators	New
3745-52-251	Maintenance and operation of facility- preparedness, prevention, and emergency procedures for large quantity generators	New
3745-52-252	Required equipment- preparedness, prevention, and emergency procedures for large quantity generators	New
3745-52-253	Testing and maintenance of equipment- preparedness, prevention, and emergency procedures for large quantity generators	New
3745-52-254	Access to communications or alarm system- preparedness, prevention, and emergency procedures for large quantity generators	New
3745-52-255	Required aisle space- preparedness, prevention, and emergency procedures for large quantity generators	New
3745-52-256	Arrangements with local authorities- preparedness, prevention, and emergency procedures for large quantity generators	New

Rule number	Rule title * means this is the amended title	Action
3745-52-260	Purpose and implementation of contingency plan- preparedness, prevention, and emergency procedures for large quantity generators	New
3745-52-261	Content of contingency plan- preparedness, prevention, and emergency procedures for large quantity generators	New
3745-52-262	Copies of contingency plan- preparedness, prevention, and emergency procedures for large quantity generators	New
3745-52-263	Amendment of contingency plan- preparedness, prevention, and emergency procedures for large quantity generators	New
3745-52-264	Emergency coordinator- preparedness, prevention, and emergency procedures for large quantity generators	New
3745-52-265	Emergency procedures- preparedness, prevention, and emergency procedures for large quantity generators	New
3745-53-10	Applicability- transporter standards	Amended
3745-53-11	U.S. EPA identification number- transporters	Amended
3745-53-12	Transfer facility requirements	Rescinded
3745-53-12	Transfer facility requirements	New
3745-53-20	Acceptance and handling of hazardous waste and the manifest system	Rescinded
3745-53-20	The manifest system and acceptance and handling of hazardous waste	New
3745-53-21	Compliance with the manifest	Amended
3745-53-25	Electronic manifest signatures	New
3745-54-01	Purpose, scope, and applicability of Chapters 3745-54 to 3745-57 and 3745-205 of the Administrative Code	Amended
3745-54-12	Required notices	Rescinded
3745-54-12	Required notices	New
3745-54-15	General inspection requirements	Amended
3745-54-71	Use of manifest system	Rescinded
3745-54-71	Use of manifest system	New
3745-54-75	Biennial report	Rescinded
3745-54-75	Biennial report	New
3745-55-70	Applicability- use and management of containers	Amended
3745-55-74	Inspections- containers	Amended
3745-55-91	Assessment of existing tank system's integrity *	Amended

Rule number	Rule title * means this is the amended title	Action
3745-65-01	Purpose, scope, and applicability of Chapters 3745-65 to 3745-69 and 3745-256 of the Administrative Code	Amended
3745-65-12	Required notices	Rescinded
3745-65-12	Required notices	New
3745-65-15	General inspection requirements	Amended
3745-65-71	Use of manifest system	Rescinded
3745-65-71	Use of manifest system	New
3745-65-75	Biennial report	Rescinded
3745-65-75	Biennial report	New
3745-66-74	Inspections- containers	Amended
3745-66-90	Applicability- tanks	Amended
3745-66-93	Containment and detection of releases- tanks	Amended
3745-66-101	Special requirements for generators of between one hundred and one thousand kilograms per month that accumulate hazardous waste in tanks	Rescinded
3745-69-01	General operating requirements and applicability- chemical, physical, and biological treatment	Amended
3745-256-200	Applicability- military munitions	Amended
3745-266-70	Applicability and requirements- recyclable materials utilized for precious metal recovery	Amended
3745-266-80	Applicability and requirements- spent lead-acid batteries being reclaimed	Amended
3745-266-108	Small quantity on-site burner exemption	Amended
3745-266-111	Standards for direct transfer	Amended
3745-266-255	Re-entry of LLMW into regulation as a hazardous waste	Amended
3745-266-500	Definitions- hazardous waste pharmaceuticals	New
3745-266-501	Applicability- hazardous waste pharmaceuticals	New
3745-266-502	Standards for healthcare facilities that manage non-creditable hazardous waste pharmaceuticals	New
3745-266-503	Standards for healthcare facilities that manage potentially creditable hazardous waste pharmaceuticals	New
3745-266-504	Healthcare facilities that are very small quantity generators for both hazardous waste pharmaceuticals and non-pharmaceutical hazardous waste	New

Rule number	Rule title * means this is the amended title	Action
3745-266-505	Prohibition of sewerage hazardous waste pharmaceuticals	New
3745-266-506	Conditional exemptions for hazardous waste pharmaceuticals that are also controlled substances and household waste pharmaceuticals collected in a take-back event or program	New
3745-266-507	Residues of hazardous waste pharmaceuticals in empty containers	New
3745-266-508	Shipping non-creditable hazardous waste pharmaceuticals from a healthcare facility or evaluated hazardous waste pharmaceuticals from a reverse distributor	New
3745-266-509	Shipping potentially creditable hazardous waste pharmaceuticals from a healthcare facility or a reverse distributor to a reverse distributor	New
3745-266-510	Standards for the management of potentially creditable hazardous waste pharmaceuticals and evaluated hazardous waste pharmaceuticals at reverse distributors	New
3745-270-01	Purpose, scope, and applicability- land disposal restrictions	Amended
3745-270-07	Testing, tracking, and recordkeeping requirements for generators, reverse distributors, treaters, and disposal facilities	Amended
3745-270-50	Prohibitions on storage of restricted wastes	Amended
3745-273-08	Applicability- household and very small quantity generator waste *	Amended
3745-273-13	Waste management- standards for small quantity handlers of universal waste	Amended
3745-273-33	Waste management- standards for large quantity handlers of universal waste	Amended
3745-273-39	Tracking universal waste shipments- standards for large quantity handlers of universal waste	Amended
3745-273-62	Tracking universal waste shipments- standards for destination facilities	Amended
3745-273-80	General requirements for petitions to include other wastes under Chapter 3745-273 of the Administrative Code	Amended
3745-273-81	Factors for petitions to include other wastes under Chapter 3745-273 of the Administrative Code *	Amended
3745-279-10	Applicability- recycled used oil management standards	Amended



The purpose of this rulemaking is to propose new rules, rule amendments, and rule rescissions to match the Ohio Hazardous Waste Management rules to recent amendments to their federal counterpart rules in 40 CFR Parts 260, 261, 262, 263, 264, 265, 266, 268, 270, 273, and 279 under the Federal Resource Conservation and Recovery Act (RCRA), as those federal rules were promulgated in the Federal Registers (FR) shown below. Ohio statute requires Ohio's rules to be equivalent to their federal counterpart regulations. This rulemaking also accomplishes the required 5-year review of a number of the Ohio rules in this rulemaking.

These rules address Hazardous Waste Management rules. The FRs listed below created, rescinded, or amended the federal RCRA counterpart regulations that correspond to the Ohio rules listed in this notice.

Federal RCRA rule title/subject	Federal Register (FR) page and publication date, and federal Checklist number
Electronic manifests (aka e-manifest rule phase 1)	79 FR 7518; 02/07/2014 Checklist 231
Coal combustion residuals (aka CCR rule, hazardous waste portion)	80 FR 21302; 04/17/2015 Checklist 235
Hazardous waste export-import revisions	81 FR 85696; 11/28/2016 Checklist 236
Generator Improvement rule (minus the Definition of Solid Waste provisions)	81 FR 85732; 11/28/2016 Checklist 237
Hazardous waste export-import revisions: announcement of AES compliance date as 12/31/2017	82 FR 41015; 08/29/2017 on Checklist 236
Confidentiality determinations for hazardous waste export and import documents	82 FR 60894; 12/26/2017 Checklist 238
User fees for the electronic hazardous waste manifest system, and amendments to manifest regulations (aka e-manifest fee rule, or e-manifest rule phase 2)	83 FR 420; 01/03/2018 Checklist 239
Safe management of recalled airbags	83 FR 61552; 11/30/2018 Checklist 240
Management standards for hazardous waste pharmaceuticals and amendment to the P075 listing for nicotine	84 FR 5816; 02/22/2019 Checklist 241
Review 2020 rules in Set Gen: State rules due to JCARR by 07/01/2020 for 5-year review.  "No-change" rules in this rulemaking: none	No FR; state-initiated changes no federal Checklist
Housekeeping; non-FR-related changes, state- initiated changes; non-substantive corrections	No FR; state-initiated changes no federal Checklist

The public comment period will remain open until close of business on Monday, August 17, 2020. A public hearing on this proposed rulemaking will be held to consider public comments in accordance with Section 119.03 of the Ohio Revised Code.

Ohio EPA will hold a virtual public hearing on these rules on Monday, August 17, 2020 at 10:30 o'clock am. The public hearing will be held exclusively online. The virtual public hearing may be accessed through Ohio EPA's website at <http://epa.ohio.gov/virtual>.

Prior to the hearing, and until close of business on the day of the hearing, comments or testimony may be emailed to [DERR\\_rulecomments@epa.ohio.gov](mailto:DERR_rulecomments@epa.ohio.gov). During the virtual hearing, the public may submit written comments that will be read into the record by the hearing host.

All comments received during the virtual public hearing or via email before the close of business on Monday, August 17, 2020 will be considered by Ohio EPA prior to final action on this rulemaking proposal. Written comments submitted after this date may be considered as time and circumstances permit.

Questions regarding this rulemaking should be directed to Tammy Heffelfinger, at the Division of Environmental Response and Revitalization at (614) 644-2954.

At this time, the proposed rules are only accessible on DERR's Hazardous Waste Management Rules web page at <https://epa.ohio.gov/derr/derrrules/rcra#176615081-proposed-rules>.

Please note: Comments for this public hearing will only be accepted electronically, as Ohio EPA is unable to access physical mail at this time.

## Attachment B

Event Name	Event Start Date	User Type	FirstName	LastName	Email
Public Hearing: Hazardous Waste Rules	August 17, 2020 New York Time	Panelist	Kit	Arthur	katherine.arthur@epa.ohio.gov
Public Hearing: Hazardous Waste Rules	August 17, 2020 New York Time	Panelist	Mandi	Payton	amanda.payton@epa.ohio.gov
Public Hearing: Hazardous Waste Rules	August 17, 2020 New York Time	Attendee	David	Smith	david.b.smith-1@nasa.gov
Public Hearing: Hazardous Waste Rules	August 17, 2020 New York Time	Attendee	Dean	Harter	dean.w.harter@nasa.gov
Public Hearing: Hazardous Waste Rules	August 17, 2020 New York Time	Attendee	luciano	torres	lucianonouza2099@gmail.com
Public Hearing: Hazardous Waste Rules	August 17, 2020 New York Time	Attendee	Tammy	Heffelfinger	tammy.heffelfinger@epa.ohio.gov
Public Hearing: Hazardous Waste Rules	August 17, 2020 New York Time	Attendee	Stephen	Kilper	skilper@avalonholdings.com
Public Hearing: Hazardous Waste Rules	August 17, 2020 New York Time	Attendee	Michelle	Pawlow	michelle.m.pawlow@nasa.gov
Public Hearing: Hazardous Waste Rules	August 17, 2020 New York Time	Attendee	Marci	Kinter	mkinter@printing.org
Public Hearing: Hazardous Waste Rules	August 17, 2020 New York Time	Attendee	Melisa	W	melisa.witherspoon@epa.ohio.gov
Public Hearing: Hazardous Waste Rules	August 17, 2020 New York Time	Attendee	Stacey	Yanetta	stacey.m.yanetta@nasa.gov
Public Hearing: Hazardous Waste Rules	August 17, 2020 New York Time	Attendee	Mitch	Mathews	mittchell.mathews@epa.ohio.gov
Public Hearing: Hazardous Waste Rules	August 17, 2020 New York Time	Attendee	maria	lima	aritanalima80@gmail.com
Public Hearing: Hazardous Waste Rules	August 17, 2020 New York Time	Attendee	Todd	Trowbridge	todd.trowbridge@arboris-us.com
Public Hearing: Hazardous Waste Rules	August 17, 2020 New York Time	Attendee	christie	myers	christie.myers@nasa.gov

**DERR Haz Waste Set Gen  
Proposed Rules**

August 17, 2020

**TURN ON PRESENTER RIGHTS UP TOP AND TO THE RIGHT**

**START RECORDING**

Hello and welcome to Ohio EPA's virtual public hearing regarding Division of Environmental Response and Revitalization's proposed hazardous waste rules. My name is Mary McCarron and I'm hosting today's public hearing. With me online from Ohio EPA are Kit Arthur and Mandi Payton. I'd like to note that we are recording this hearing. We will save all comments submitted during the hearing.

Before I start the hearing, I have a couple of tips about the technical end of today's hearing:

- 1) You should see a floating control panel on your screen in the WebEx app. During the event, the sound may fade in and out due to your internet connection. If you experience problems with the sound during the hearing, either wait a moment or two to see if it is restored or, using the icon on the floating control panel, close or disconnect from the audio portion of the presentation, then reconnect to restore the audio.
- 2) Please use the chat feature to report or receive assistance with technical issues.
- 3) Please also use the chat feature to submit comments during the hearing.

**PUBLIC HEARING SPEECH**

DERR Set Gen Rules Hearing

Thank you for taking time to attend this hearing before Ohio EPA. The purpose of the hearing today is to obtain comments from any interested person regarding Ohio EPA's proposed rules.

Ohio EPA Division of Environmental Response and Revitalization is proposing to amend, rescind, and original file 133 hazardous waste rules. The package is typically referred to as “Set Gen” or “Generator Improvement” rules.

These rules have been filed with the Joint Committee on Agency Rule Review. Copies of the rules are available for public review on our website.

All interested persons are entitled to attend or be represented, and to present written comments concerning the proposed rules. All written comments received as part of the official record will be considered by the director of Ohio EPA.

To be included in the official record, written comments must be received by Ohio EPA by the close of business, today, August 17, 2020. These comments may be typed into the chat today or emailed to [DERR\\_rulecomments@epa.ohio.gov](mailto:DERR_rulecomments@epa.ohio.gov). All emailed comments submitted for the record receive the same consideration as typed testimony given today.

Written statements submitted after today may be considered as time and circumstances permit but will not be part of the official record of the hearing.

This hearing affords citizens an opportunity to provide input. Therefore, we will not be able to answer questions today.

**YOU MAY NOW SUBMIT COMMENTS IN WRITING. I will read aloud any comments we receive in the hearing chat. I will keep the chat open until 11 a.m. to provide time for participants to type in comments.**

### **CLOSING**

We will close the hearing. After the hearing closes, we will accept written comments through 5:00 p.m. today. You can send those comments to the email address on the screen.

Thank you for your comments, cooperation and participation in Ohio EPA's decision-making process. The time is now \_\_\_\_\_ and this hearing is concluded.

**CAPTURE CHATS AND Q&A**

## Attachment D



### **Division of Environmental Response and Revitalization (DERR) Response to Comments**

**Rule:** DERR-HW- Set Gen proposed rules (133 amended, rescinded, new rules)

#### **Agency Contact for this Package**

Division Contact: Mitch Mathews, DERR, 614/549-2701, [Mitchell.Mathews@epa.ohio.gov](mailto:Mitchell.Mathews@epa.ohio.gov)

Ohio EPA held a public hearing on Monday, August 17, 2020 regarding the proposed rules in what is commonly referred to as the Hazardous Waste Management “Set Gen” rules package, which contained 133 amended, rescinded, and new rules. This document summarizes the comments received at the public hearing, and during the public comment period which ended at the close of business on Monday, August 17, 2020.

Ohio EPA reviewed and considered all comments received during the public comment period. By law, Ohio EPA has authority to consider specific issues related to protection of the environment and public health.

In an effort to help you review this document, the questions are grouped by topic and organized in a consistent format. The name of the commenter follows the comment in parentheses.

No comments were provided during the public hearing. There was one letter of comment received during the public comment period on these rules. It was from Ohio Environmental Services Industries (OESI), which is a trade association comprised of commercial hazardous waste management facilities and affiliated businesses within Ohio, an association of chemical recycling, treatment and disposal facilities.

#### **General/Overall**

**Comment 1:** In general, OESI supports Ohio EPA’s proposal to adopt the package referred to as Set Gen, as they would strengthen the hazardous waste regulations and establish greater consistency and parity within the waste industry overall. (Tom Pappas, Executive Director, OESI)

**Response 1:** Ohio EPA appreciates the support of our efforts to promulgate the hazardous waste management rules, and the commenter’s participation in the rulemaking process.

Comment 2: OESI encourages Ohio EPA to develop an adoption plan for the Organic Emission Standards for process vents, equipment leaks, tanks, and containers under 40 CFR Part 264, Subparts AA, BB and CC (i.e., the AA/BB/CC regulations). (Tom Pappas, Executive Director, OESI)

Response 2: This comment is related to the adoption of federal language regarding organic air emissions standards in 40 CFR Part 264 subparts AA/BB/CC. This comment is not relevant to the proposed rules that are the subject of this public hearing or this public comment period.

**End of Response to Comments**