

**MEMORANDUM**

TO: Regina Hanshaw, Executive Secretary, Ohio Board of Building Standards

FROM: Sophia Papadimos, Regulatory Policy Advocate

DATE: September 15, 2015

RE: **CSI Review – Ohio Mechanical Code Amendments (OAC 4101:2-2-01, 4101:2-3-01, 4101:2-5-01, 4101:2-9-01, 4101:2-13-01, and 4101:2-15-01)**

On behalf of Lt. Governor Mary Taylor, and pursuant to the authority granted to the Common Sense Initiative (CSI) Office under Ohio Revised Code (ORC) section 107.54, the CSI Office has reviewed the abovementioned administrative rule package and associated Business Impact Analysis (BIA). This memo represents the CSI Office's comments to the Agency as provided for in ORC 107.54.

Analysis

This rule package consists of six amended rules being proposed by the Ohio Board of Building Standards pertaining to the Ohio Mechanical Code. The rule package was submitted to the CSI Office on August 6, 2015 and the public comment period was held open through August 28, 2015.

The proposed rules are being amended to add definitions for above-ground storage tanks, building service equipment, engine-mounted tanks and fuel tanks. The draft rules provide design guidance for fuel tanks, diesel oil storage units, and engine-driven generators. According to the BIA, the majority of the amendments provide clarification as to the scope of the mechanical code or provide additional options and/or exceptions to requirements. The Board explained that there are no new impacts created by the amendments. However, the CSI Office did identify some new labeling requirements as a result of the changes, but no comments were received that the requirements are overly burdensome.

After reviewing the proposed rules and associated BIA, the CSI Office has determined that the purpose of the rules is justified.

Recommendations

For the reasons discussed above, the CSI Office does not have any recommendations for this rule package.

Conclusion

Based on the above comments, the CSI Office concludes that the Ohio Board of Building Standards should proceed with the formal filing of this rule package with the Joint Committee on Agency Rule Review.