



MEMORANDUM OF RESPONSE

To: Jacob Ritzenthaler, Regulatory Policy Advocate

From: Mandi Payton, Agency Rules Coordinator

Date: January 5, 2018

Subject: Memorandum of Response to CSI Review – Consumer Products (OAC 3745-112-01 to 3745-112-08)

Recommendations

On January 5, 2018, Ohio EPA received the Recommendations for the Division of Air Pollution Control's Consumer Products (OAC 3745-112-01 to 3745-112-08) Rules Package.

The CSI memorandum stated that:

"These rules impact every business that sells, supplies, offers for sale, or manufactures consumer products for sale in Ohio. These rules create adverse costs through compliance requirements for volatile compounds in consumer goods. In complying with these rules, businesses must maintain proper labeling and testing to ensure that the requirements of the rules are met. OEPA states in the BIA that upon implementation, complying with the rules was estimated to cost Ohio businesses approximately \$7 million per year, according to the OTC. However, for products introduced since the rules were enacted, OEPA states that the cost of compliance would be much lower, since newer products would not need to make similar changes to comply with the rules. OEPA states that the rules serve to protect the public by reducing pollution from volatile compounds and allow the state to comply with federal statute. After reviewing the proposed rules and the BIA, the CSI Office has determined that the rules satisfactorily meet the standards espoused by the CSI Office, and the purpose of the rule package is justified.

For the reasons described above, the CSI Office has no recommendations on this rule package.

Based on its review of the proposed rule package, the CSI Office recommends the Ohio Environmental Protection Agency should proceed in filing the proposed rules with the Joint Committee on Agency Rule Review."

Next Steps

At this time, it is Ohio EPA's plan to move forward with the original filing of these rules with the Joint Committee on Agency Rule Review.

If you have any questions, please contact Mandi Payton at 614-644-3134.