

BEFORE THE
OHIO ENVIRONMENTAL PROTECTION AGENCY
PUBLIC NOTICE OF PROPOSED RULE-MAKING
GOVERNING HAZARDOUS WASTE MANAGEMENT,
CESSATION OF REGULATED OPERATIONS RULES

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:

- create one new rule to address cross-referencing requirements added within the last five years by Senate Bill 265 by Ohio's 125th General Assembly,
- amend six rules to clarify their meaning and make minor wording corrections, and
- submit two rules for review without amendment (no-change rules).

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

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

<u>Proposed Action</u>	<u>Rule Number</u>	<u>Rule Title</u>
New rule	3745-352-01	Incorporation by reference.
Amend	3745-352-05	What definitions do I need to know in order to understand the "CRO rules"?
Amend	3745-352-10	What is the "Cessation of Regulated Operations" program and how do I determine whether the "CRO rules" apply to a facility?
No-change	3745-352-15	Who is responsible for complying with the "CRO rules"?
Amend	3745-352-20	What are my responsibilities if I am an owner or operator?
Amend	3745-352-25	What are my responsibilities if I am holder of a first mortgage on real property, a fiduciary, an indentured trustee for debt securities, or a receiver?
No-change	3745-352-30	How do I provide adequate security?
Amend	3745-352-35	How do I designate a contact person?
Amend	3745-352-40	How can I get a waiver from complying with paragraph (A) of rule 3745-352-20 of the Administrative Code?

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 Wednesday, August 16, 2006 beginning at 10:00a.m. in conference room C at the Ohio Environmental Protection Agency, Lazarus Government Center, 122 South Front Street, Columbus, Ohio. 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, Division of Hazardous Waste Management, Ohio EPA, Lazarus Government Center, 122 South Front Street, Columbus, OH 43216-1049. 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, Tuesday, August 15, 2006. Those who provide Ohio EPA with prior notice will be heard before those who register at the hearing.

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. the day of the hearing, Wednesday, August 16, 2006. Written communications may be filed with Ms. Arthur at the above address or with the presiding officer during the 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.

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 or Mr. Ralph McGinnis at 614/644-3065 at Ohio EPA.