

**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 and no-change rules of the Ohio Administrative Code as follows:

Rule number	Rule title * means this is the amended title	Action
3745-50-20	Petitions to amend Chapter 3745-273 of the Administrative Code to include additional hazardous wastes	Review, amend
3745-50-21	Draft permits	Review, amend
3745-50-23	Variances from classification as a waste	Review, amend
3745-50-36	Annual hazardous waste permit fees	Review, amend
3745-50-38	Contents of the "Siting Criteria Document"	Review, amend
3745-50-40	Submittal of hazardous waste permit applications	Review, amend
3745-50-42	Signatories to permit applications and reports	Review, amend
3745-50-44	Contents of "Part B" of the permit application	Review, amend
3745-50-51	Permit modifications Appendix	Review, amend
3745-50-52	Transfer of permits	Review, amend
3745-50-57	Emergency permits	Review, No-change
3745-50-62	Trial burn	Review, amend
3745-50-66	Permits for boilers and industrial furnaces that burn hazardous waste *	Review, amend
3745-50-235	Options for incinerators, cement kilns, lightweight aggregate kilns, solid fuel boilers, liquid fuel boilers, and hydrochloric acid production furnaces to minimize emissions from startup, shutdown, and malfunction events	Review, amend
3745-51-08	PCB wastes regulated under the Toxic Substances Control Act	Review, amend
3745-51-10	Criteria for identifying the characteristics of hazardous waste	Review, amend
3745-51-20	Characteristics of hazardous waste-general Appendix	Review, amend

Rule number	Rule title * means this is the amended title	Action
3745-51-21	Characteristic of ignitability	Review, amend
3745-51-22	Characteristic of corrosivity	Review, amend
3745-51-24	Toxicity characteristic	Review, amend
3745-51-100	Financial assurance for seventy-two hour recyclers	Review, amend
3745-52-21	Manifest tracking numbers, manifest printing, and obtaining manifests	Review, amend
3745-52-42	Exception report for small quantity generators and large quantity generators *	Exempt, amend
3745-52-43	Additional reports for small quantity generators and large quantity generators *	Exempt, amend
3745-52-206	Labeling and management standards for containers of unwanted material in the laboratory	Review, amend
3745-53-30	Immediate action	Review, amend
3745-54-13	General waste analysis	Review, amend
3745-54-18	Location standards	Review, amend
3745-54-53	Copies of contingency plan	Review, amend
3745-54-54	Amendment of contingency plan	Review, amend
3745-54-56	Emergency procedures	Review, amend
3745-54-72	Manifest discrepancies	Exempt, amend
3745-54-73	Operating record Appendix	Review, amend
3745-55-18	Post-closure plan and amendment of post-closure plan	Review, amend
3745-55-42	Cost estimate for closure	Review, amend
3745-55-43	Financial assurance for facility closure	Review, amend
3745-55-44	Cost estimate for post-closure care	Review, amend
3745-55-45	Financial assurance for post-closure care	Review, amend
3745-55-47	Liability requirements	Review, amend
3745-55-75	Containment- containers *	Exempt, amend
3745-55-96	Response to leaks or spills and disposition of leaking or unfit-for-use tank systems *	Review, amend
3745-57-43	Performance standards- incinerators *	Exempt, amend
3745-57-72	Corrective action management units (CAMUs)	Exempt, amend
3745-65-13	General waste analysis	Review, amend

Rule number	Rule title * means this is the amended title	Action
3745-65-19	Construction quality assurance (CQA) program	Exempt, amend
3745-65-53	Copies of contingency plan	Review, amend
3745-65-56	Emergency procedures	Review, amend
3745-65-72	Manifest discrepancies	Exempt, amend
3745-65-73	Operating record Appendix	Review, amend
3745-66-18	Post-closure plan and amendment of post-closure plan *	Exempt, amend
3745-66-42	Cost estimate for closure	Review, amend
3745-66-43	Financial assurance for facility closure	Review, amend
3745-66-44	Cost estimate for post-closure care	Review, amend
3745-66-45	Financial assurance for post-closure care	Review, amend
3745-66-47	Liability requirements	Review, amend
3745-66-95	Inspections- tank systems	Review, amend
3745-66-96	Response to leaks or spills and disposition of leaking or unfit-for-use tank systems *	Review, amend
3745-205-100	Applicability- containment buildings	Review, amend
3745-205-101	Design and operating standards for containment buildings	Review, amend
3745-256-100	Applicability- containment buildings	Review, amend
3745-256-101	Design and operating standards for containment buildings	Review, amend
3745-266-23	Standards for users of materials that are used in a manner that constitutes disposal *	Review, amend
3745-266-100	Applicability- boilers and industrial furnaces Appendix A Appendix B Appendix C	Review, amend
3745-266-101	Management prior to burning	Review, amend
3745-266-102	Permit standards for burners	Review, amend
3745-266-103	Interim standards for burners Appendix	Review, amend
3745-266-104	Standards to control organic emissions	Review, amend
3745-266-105	Standards to control particulate matter	Review, amend
3745-266-106	Standards to control metals emissions Appendix A Appendix B	Review, amend

Rule number	Rule title * means this is the amended title	Action
3745-266-107	Standards to control hydrogen chloride and chlorine gas emissions Appendix A Appendix B	Review, amend
3745-266-200	Applicability- military munitions	Review, No-change
3745-266-201	Definitions- military munitions	Review, amend
3745-266-202	Definition of waste- military munitions *	Review, amend
3745-266-203	Standards for the transportation of waste military munitions *	Review, amend
3745-266-205	Standards for the storage of waste military munitions *	Review, amend
3745-266-206	Standards for the treatment and disposal of waste military munitions *	Exempt, amend
3745-266-210	Definitions- conditional exemption for LLMW storage and disposal	Review, amend
3745-266-240	Loss of conditional exemption for LLMW	Exempt, amend
3745-266-260	LLMW storage unit closure	Review, amend
3745-270-02	Definitions- land disposal restrictions *	Exempt, amend
3745-270-03	Dilution prohibited as a substitute for treatment Appendix	Exempt, amend
3745-270-04	Treatment surface impoundment exemption	Exempt, amend
3745-270-31	Waste specific prohibitions- dioxin-containing wastes	Exempt, amend
3745-270-40	Applicability- treatment standards Appendix	Exempt, amend
3745-273-03	Applicability- management standards for universal waste- pesticides	Exempt, amend
3745-279-42	Notification by used oil transporters	Exempt, amend
3745-279-43	Used oil transportation	Exempt, amend
3745-279-51	Notification by used oil processors and re-refiners	Exempt, amend
3745-279-52	General facility standards for used oil processors and re-refiners	Exempt, amend
3745-279-62	Notification by used oil burners	Exempt, amend
3745-279-73	Notification by a used oil fuel marketer	Exempt, amend

The purpose of this rulemaking is to make minor, non-substantive amendments to correct word choice, readability, punctuation, etc.; to address the Federal Register (FR) described below; and to accomplish the required 5-year review of most of the Ohio rules in this rulemaking.

These rules address Hazardous Waste Management rules. The FR listed below amended the federal RCRA counterpart regulation that corresponds to one of the Ohio rules listed in this notice.

Federal RCRA rule title/subject	Federal Register (FR) page and publication date, and federal Checklist number
Revisions to procedural rules to clarify practices and procedures applicable in permit appeals pending before the Environmental Appeals Board	78 FR 5288; 01/25/2013 no federal Checklist #

The public comment period will remain open until close of business on Thursday, July 15, 2021. 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 Thursday, July 15, 2021 at 2:30pm. The public hearing will be held exclusively online. The virtual public hearing may be accessed through Ohio EPA's website at <https://attendee.gotowebinar.com/register/3554723707026288397>.

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. 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 Thursday, July 15, 2021 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>.

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