

Public Hearing
State Emergency Response Commission
FIVE-YEAR RULE REVIEW OF
OAC CHAPTER 3750 RULES
no change, rescinded, propose as new, and amended rules

Notice is hereby given that, on behalf of the State Emergency Response Commission, the Director of Environmental Protection ("Ohio EPA") proposes to either propose as new, rescind, amend or no change the following Chapter 3750 rules of the Ohio Administrative Code, which regulates the implementation and administration of the Emergency Planning program in the State of Ohio.

Rescind

OAC 3750-30-10, General Facility Identification Requirements for Subject Facilities.
OAC rule 3750-30-11, Facility Requirements for a Multiple Establishment Facility.
OAC 3750-30-10.1, General Facility Identification Requirements for Oil and Gas Extraction Storage Facility.

Rescind then Propose as New

OAC 3750-30-20, Emergency and Hazardous Chemical Inventory Form.

Amended

OAC 3750-1-01, Definitions and Rules by Reference.
OAC 3750-25-01, Facilities Subject to Emergency Release Notification Requirements;
OAC 3750-25-05, Designation of Hazardous Substances;
OAC 3750-25-10, Determining of Reportable Quantities for Hazardous Substances;
OAC 3750-25-15, Calculations for Reportable Quantities of Continuous Releases;
OAC 3750-25-25, Release Notification Requirements;
OAC 3750-30-01, Facilities Subject to Hazardous Chemical Reporting Requirements.
OAC 3750-50-03, Emergency Planning and Community Right-to-Know Fund;
OAC 3750-50-05, Special Emergency Planning Fund;
OAC 3750-50-10, Grant Application for Emergency Planning and Community Right-to-Know Funds;
OAC 3750-50-20, Emergency Planning and Community Right-to-Know Reserve Fund.

No Change

OAC 3750-15-01, Applicability;
OAC 3750-15-02, Construction of Rules;
OAC 3750-15-10, Severability;
OAC 3750-25-12, Determining Notification Requirements of Mixtures or Solutions;
OAC 3750-25-13, Release Notification Requirements for Radionuclides and Solid Particles;
OAC 3750-25-20, Reportable Quantities for Oil including Crude Oil;
OAC 3750-30-15, List or Material Safety Data Sheets (MSDS) Reporting Requirements for Subject Facilities;

OAC 3750-30-25, Identification of Hazardous Chemicals;
OAC 3750-30-27, Threshold Quantities for Hazardous Chemical Reporting;
OAC 3750-50-01, Annual Inventory Filing Fees and Form;
OAC 3750-50-07, First-Time Filer Grant Awards;
OAC 3750-50-08, Committee Responsibilities for First-Time Filer Grant Application;
OAC 3750-50-09, Commission Responsibilities for First-Time Filer Grant Awards;
OAC 3750-50-15, Reimbursement for Costs Incurred under Chapter 3750 of the Revised Code;
OAC 3750-50-25, Grant Application for Funds in the Emergency Planning and Community Right-to-Know Reserve Fund;
OAC 3750-80-01, Application for Variance by Local Emergency Planning Committee;
OAC 3750-80-02, Criteria for Granting a Variance to a Local Emergency Planning Committee;
OAC 3750-80-03, Decision by the Emergency Response Commission;
OAC 3750-85-01, Application for Variance by Political Subdivision;
OAC 3750-85-02, Criteria for Granting a Variance to a Political Subdivision;
OAC 3750-85-03, Decision by Local Emergency Planning Committee.

The primary purpose of this review is to satisfy the requirements of R.C. 119.032 (five-year review). Ohio EPA's Division of Air Pollution Control ("DAPC") refers any interested party to the rule synopsis for details on the rules affected by this proposed rule package.

Pursuant to Section 121.39 of the Ohio Revised Code, DAPC was required to consult with interested parties affected by the rules before the division formally proposes them. On July 1, 2005, these rules went out for a 30 day review by interested parties.

Pursuant to Chapter 119.03 of the Ohio Revised Code, a public hearing on this rule review will be conducted on February 17, 2006 at 10:00 a.m. in Conference Room C, 5th Floor at the Ohio EPA, Lazarus Government Center, 122 South Front Street, Columbus, Ohio.

All interested persons are entitled to attend or be represented at the hearing and give written or oral comments on this rule review. All oral comments presented at the hearing, and all written statements submitted at the hearing or by the close of business on February 20, 2006, will be considered by Ohio EPA prior to final action on this rule review. Written statements submitted after February 20, 2006, may be considered as time and circumstances permit, but will not be part of the official record of the hearing.

The rules are available on the Ohio EPA Web site. The URL is: <http://www.epa.state.oh.us/dapc/regs/regs.html>. Questions regarding accessing the web site should be directed to Arunee Niamlarb at 614-728-1342; other questions or comments about these rules should be directed to Jeff Beattie at Ohio EPA, (614) 644-2269, jeff.beattie@epa.state.oh.us, or mailed to Jeff Beattie, Ohio EPA, Division Air Pollution Control, Lazarus Government Center, P.O. Box 1049, Columbus, Ohio 43216-1049.