

Protection Agency

**Hearing Summary** 

| Rule Package:                  | Generator Improvement, Export/Import, & CCR, e-manifest,<br>Pharmaceuticals & Air Bags  |
|--------------------------------|---|
| Original filing date:          | 7/13/20   |
| Public comment start date:     | 7/13/20   |
| Public comment end date:       | 8/17/20   |
| Public hearing date:           | 8/17/20   |
| List of Rules:                 | 3745-50-02, 3745-50-04, 3745-50-05, 3745-50-10, 3745-50-11, 3745-50-<br>28, 3745-50-45, 3745-51-01, 3745-51-04, 3745-51-05, 3745-51-06, 3745-<br>51-07, 3745-51-11, 3745-51-30, 3745-51-33, 3745-51-39, 3745-52-01,<br>3745-52-10, 3745-52-11, 3745-52-12, 3745-52-13, 3745-52-14, 3745-52-<br>15, 3745-52-16, 3745-52-17, 3745-52-18, 3745-52-20, 3745-52-24, 3745-<br>52-25, 3745-52-32, 3745-52-34, 3745-52-35, 3745-52-40, 3745-52-41,<br>3745-52-44, 3745-52-44, 3745-52-50, 3745-52-60, 3745-52-80, 3745-52-<br>200, 3745-52-201, 3745-52-202, 3745-52-203, 3745-52-204, 3745-52-<br>207, 3745-52-208, 3745-52-209, 3745-52-203, 3745-52-204, 3745-52-<br>212, 3745-52-208, 3745-52-209, 3745-52-210, 3745-52-204, 3745-52-<br>212, 3745-52-232, 3745-52-209, 3745-52-210, 3745-52-230, 3745-52-<br>231, 3745-52-232, 3745-52-233, 3745-52-250, 3745-52-251, 3745-52-<br>252, 3745-52-261, 3745-52-262, 3745-52-263, 3745-52-256, 3745-52-<br>252, 3745-52-261, 3745-52-262, 3745-52-263, 3745-52-264, 3745-52-<br>260, 3745-52-261, 3745-52-262, 3745-52-263, 3745-52-264, 3745-52-<br>265, 3745-53-10, 3745-53-11, 3745-53-12, 3745-53-20, 3745-53-21,<br>3745-53-25, 3745-54-01, 3745-54-12, 3745-53-20, 3745-54-71, 3745-54-71,<br>3745-53-25, 3745-66-101, 3745-69-01, 3745-66-01, 3745-65-12, 3745-<br>65-15, 3745-65-71, 3745-65-75, 3745-65-75, 3745-66-74, 3745-66-70,<br>3745-266-80, 3745-266-108, 3745-266-111, 3745-266-205, 3745-266-504, 3745-<br>266-505, 3745-266-501, 3745-266-502, 3745-266-503, 3745-266-504, 3745-<br>266-505, 3745-266-501, 3745-266-502, 3745-266-508, 3745-266-504, 3745-<br>266-505, 3745-266-506, 3745-266-507, 3745-266-508, 3745-266-509,<br>3745-266-510, 3745-270-01, 3745-270-07, 3745-270-50, 3745-273-08,<br>3745-273-13, 3745-273-33, 3745-273-39, 3745-273-62, 3745-273-80<br>3745-273-81, 3745-279-10 |
| Were there any participants in | this public hearing beyond Ohio EPA staff or JCARR staff?   |
| 🛛 Yes                          |   |
| Were there comments receive    | d during the public comment period outside of those presented at this hearing?  |
| 🛛 Yes                          | □ No  |

This hearing summary has been compiled to meet the requirements of Section 119.03 of the Revised Code.



# **Hearing Summary**

This hearing summary includes this cover sheet and the following attachments:

- 1. Attachment A A copy of the public notice for this hearing.
- 2. Attachment B A copy of the sign-in sheet for this hearing.
- 3. Attachment C- A copy of the script read into the record to begin and end the hearing.
- 4. Attachment D A copy of the response to comments.

Ohio EPA's response to comments document includes the comments received, who commented, the agency response to comments, and a statement of whether or not the rule was changed due to the comments.

Ohio EPA digitally records all public hearings for rules. The digital recordings are available upon request in a Moving Picture Expert Group-4 (.mp4) file format. These recordings may be sent out for transcription if necessary.

#### Attachment A

#### 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, rescinded, and new rules of the Ohio Administrative Code as follows:

| Rule number | Rule title * means this is the amended title   | Action    |
|-------------|--|-----------|
| 3745-50-02  | Business confidentiality- hazardous waste management   | New       |
| 3745-50-04  | Manifest copy submittal requirements for certain interstate waste shipments  | New       |
| 3745-50-05  | Applicability- electronic manifest system and<br>user fee requirements for facilities that<br>receive state-only regulated waste shipments | New       |
| 3745-50-10  | Definitions and computation of time  | Amended   |
| 3745-50-11  | Incorporated by reference  | Amended   |
| 3745-50-28  | Procedures for case-by-case regulation of hazardous waste recycling activities   | Amended   |
| 3745-50-45  | Special inclusions and exclusions for hazardous waste permits  | Amended   |
| 3745-51-01  | Purpose and scope of Chapter 3745-51 of the Administrative Code  | Amended   |
| 3745-51-04  | Exclusions   | Amended   |
| 3745-51-05  | Special requirements for hazardous waste<br>generated by conditionally exempt small<br>quantity generators                                 | Rescinded |
| 3745-51-06  | Requirements for recyclable materials  | Amended   |
| 3745-51-07  | Residues of hazardous waste in empty containers  | Amended   |
| 3745-51-11  | Criteria for listing hazardous waste   | Amended   |
| 3745-51-30  | Lists of hazardous wastes- general   | Amended   |
| 3745-51-33  | Discarded commercial chemical products, off-<br>specification species, container residues,<br>and spill residues thereof                   | Amended   |
| 3745-51-39  | Conditional exclusion for used, broken CRTs and processed CRT glass undergoing recycling   | Amended   |
| 3745-52-01  | Definitions- generator standards   | New       |
| 3745-52-10  | Applicability- generator standards   | Rescinded |
| 3745-52-10  | Applicability- generator standards   | New       |
| 3745-52-11  | Hazardous waste determination  | Rescinded |

| Rule number | Rule title * means this is the amended title  | Action    |
|-------------|---|-----------|
| 3745-52-11  | Hazardous waste determination and recordkeeping   | New       |
| 3745-52-12  | Generator identification numbers  | Rescinded |
| 3745-52-13  | Generator category determinations   | New       |
| 3745-52-14  | Conditions for exemption for very small quantity generators   | New       |
| 3745-52-15  | Satellite accumulation area requirements for small quantity generators and large quantity generators                      | New       |
| 3745-52-16  | Conditions for exemption for small quantity generators that accumulate hazardous waste                                    | New       |
| 3745-52-17  | Conditions for exemption for large quantity generators that accumulate hazardous waste                                    | New       |
| 3745-52-18  | U.S. EPA identification numbers and re-<br>notification for small quantity generators<br>and large quantity generators    | New       |
| 3745-52-20  | Manifest- general requirements  | Amended   |
| 3745-52-24  | Use of the electronic manifest  | New       |
| 3745-52-25  | Electronic manifest signatures  | New       |
| 3745-52-32  | Marking   | Amended   |
| 3745-52-34  | Accumulation time of hazardous waste  | Rescinded |
| 3745-52-35  | Liquids in landfills prohibition  | New       |
| 3745-52-40  | Recordkeeping for small quantity generators and large quantity generators   | Amended   |
| 3745-52-41  | Biennial report- generator standards  | Rescinded |
| 3745-52-41  | Biennial report for large quantity generators   | New       |
| 3745-52-44  | Recordkeeping and reporting requirements for<br>generators of between one hundred and one<br>thousand kilograms per month | Rescinded |
| 3745-52-44  | Recordkeeping for small quantity generators   | New       |
| 3745-52-50  | Applicability- exports of hazardous waste to a foreign country  | Rescinded |
| 3745-52-60  | Imports of hazardous waste from a foreign country   | Rescinded |
| 3745-52-80  | Applicability- transboundary movement of hazardous waste for recovery or disposal   | New       |
| 3745-52-200 | Definitions- university labs  | Amended   |
| 3745-52-201 | Applicability- university labs  | Amended   |
| 3745-52-202 | Use of the university lab rules is an option  | Amended   |
| 3745-52-203 | Notification requirement- university labs *   | Amended   |
| 3745-52-204 | Withdrawal notification- university labs *  | Amended   |
| 3745-52-207 | Training- university labs *   | Amended   |

| Rule number | Rule title * means this is the amended title   | Action  |
|-------------|--|---------|
| 3745-52-208 | Removing containers of unwanted material from the laboratory   | Amended |
| 3745-52-209 | Where and when to make the hazardous waste<br>determination and where to send containers of<br>unwanted material upon removal from the<br>laboratory | Amended |
| 3745-52-210 | Making the hazardous waste determination in<br>the laboratory before the unwanted material<br>is removed from the laboratory                         | Amended |
| 3745-52-211 | Making the hazardous waste determination at an on-site central accumulation area   | Amended |
| 3745-52-212 | Making the hazardous waste determination at<br>an on-site interim or permitted treatment,<br>storage, or disposal facility                           | Amended |
| 3745-52-213 | Laboratory clean-outs  | Amended |
| 3745-52-214 | Laboratory management plan   | Amended |
| 3745-52-216 | Non-laboratory hazardous waste generated at an eligible academic entity  | Amended |
| 3745-52-230 | Applicability- alternative standards for episodic generation   | New     |
| 3745-52-231 | Definitions- alternative standards for episodic generation   | New     |
| 3745-52-232 | Conditions for generators that manage hazardous waste from an episodic event   | New     |
| 3745-52-233 | Petition to manage one additional episodic event per calendar year   | New     |
| 3745-52-250 | Applicability- preparedness, prevention, and<br>emergency procedures for large quantity<br>generators  | New     |
| 3745-52-251 | Maintenance and operation of facility-<br>preparedness, prevention, and emergency<br>procedures for large quantity generators                        | New     |
| 3745-52-252 | Required equipment- preparedness, prevention,<br>and emergency procedures for large quantity<br>generators   | New     |
| 3745-52-253 | Testing and maintenance of equipment-<br>preparedness, prevention, and emergency<br>procedures for large quantity generators                         | New     |
| 3745-52-254 | Access to communications or alarm system-<br>preparedness, prevention, and emergency<br>procedures for large quantity generators                     | New     |
| 3745-52-255 | Required aisle space- preparedness,<br>prevention, and emergency procedures for<br>large quantity generators   | New     |
| 3745-52-256 | Arrangements with local authorities-<br>preparedness, prevention, and emergency<br>procedures for large quantity generators                          | New     |

| Rule number | Rule title * means this is the amended title   | Action    |
|-------------|--|-----------|
| 3745-52-260 | Purpose and implementation of contingency<br>plan- preparedness, prevention, and emergency<br>procedures for large quantity generators | New       |
| 3745-52-261 | Content of contingency plan- preparedness,<br>prevention, and emergency procedures for<br>large quantity generators                    | New       |
| 3745-52-262 | Copies of contingency plan- preparedness,<br>prevention, and emergency procedures for<br>large quantity generators                     | New       |
| 3745-52-263 | Amendment of contingency plan- preparedness,<br>prevention, and emergency procedures for<br>large quantity generators                  | New       |
| 3745-52-264 | Emergency coordinator- preparedness,<br>prevention, and emergency procedures for<br>large quantity generators                          | New       |
| 3745-52-265 | Emergency procedures- preparedness,<br>prevention, and emergency procedures for<br>large quantity generators                           | New       |
| 3745-53-10  | Applicability- transporter standards   | Amended   |
| 3745-53-11  | U.S. EPA identification number- transporters   | Amended   |
| 3745-53-12  | Transfer facility requirements   | Rescinded |
| 3745-53-12  | Transfer facility requirements   | New       |
| 3745-53-20  | Acceptance and handling of hazardous waste and the manifest system   | Rescinded |
| 3745-53-20  | The manifest system and acceptance and handling of hazardous waste   | New       |
| 3745-53-21  | Compliance with the manifest   | Amended   |
| 3745-53-25  | Electronic manifest signatures   | New       |
| 3745-54-01  | Purpose, scope, and applicability of Chapters 3745-54 to 3745-57 and 3745-205 of the Administrative Code                               | Amended   |
| 3745-54-12  | Required notices   | Rescinded |
| 3745-54-12  | Required notices   | New       |
| 3745-54-15  | General inspection requirements  | Amended   |
| 3745-54-71  | Use of manifest system   | Rescinded |
| 3745-54-71  | Use of manifest system   | New       |
| 3745-54-75  | Biennial report  | Rescinded |
| 3745-54-75  | Biennial report  | New       |
| 3745-55-70  | Applicability- use and management of containers  | Amended   |
| 3745-55-74  | Inspections- containers  | Amended   |
| 3745-55-91  | Assessment of existing tank system's integrity *   | Amended   |

| Rule number  | Rule title * means this is the amended title   | Action    |
|--------------|--|-----------|
| 3745-65-01   | Purpose, scope, and applicability of Chapters<br>3745-65 to 3745-69 and 3745-256 of the<br>Administrative Code   | Amended   |
| 3745-65-12   | Required notices   | Rescinded |
| 3745-65-12   | Required notices   | New       |
| 3745-65-15   | General inspection requirements  | Amended   |
| 3745-65-71   | Use of manifest system   | Rescinded |
| 3745-65-71   | Use of manifest system   | New       |
| 3745-65-75   | Biennial report  | Rescinded |
| 3745-65-75   | Biennial report  | New       |
| 3745-66-74   | Inspections- containers  | Amended   |
| 3745-66-90   | Applicability- tanks   | Amended   |
| 3745-66-93   | Containment and detection of releases- tanks   | Amended   |
| 3745-66-101  | Special requirements for generators of<br>between one hundred and one thousand<br>kilograms per month that accumulate hazardous<br>waste in tanks      | Rescinded |
| 3745-69-01   | General operating requirements and applicability- chemical, physical, and biological treatment   | Amended   |
| 3745-256-200 | Applicability- military munitions  | Amended   |
| 3745-266-70  | Applicability and requirements- recyclable<br>materials utilized for precious metal<br>recovery  | Amended   |
| 3745-266-80  | Applicability and requirements- spent lead-<br>acid batteries being reclaimed  | Amended   |
| 3745-266-108 | Small quantity on-site burner exemption  | Amended   |
| 3745-266-111 | Standards for direct transfer  | Amended   |
| 3745-266-255 | Re-entry of LLMW into regulation as a hazardous waste  | Amended   |
| 3745-266-500 | Definitions- hazardous waste pharmaceuticals   | New       |
| 3745-266-501 | Applicability- hazardous waste pharmaceuticals   | New       |
| 3745-266-502 | Standards for healthcare facilities that<br>manage non-creditable hazardous waste<br>pharmaceuticals   | New       |
| 3745-266-503 | Standards for healthcare facilities that<br>manage potentially creditable hazardous waste<br>pharmaceuticals   | New       |
| 3745-266-504 | Healthcare facilities that are very small<br>quantity generators for both hazardous waste<br>pharmaceuticals and non-pharmaceutical<br>hazardous waste | New       |

| Rule number  | Rule title * means this is the amended title   | Action  |
|--------------|--|---------|
| 3745-266-505 | Prohibition of sewering hazardous waste pharmaceuticals  | New     |
| 3745-266-506 | Conditional exemptions for hazardous waste<br>pharmaceuticals that are also controlled<br>substances and household waste<br>pharmaceuticals collected in a take-back<br>event or program | New     |
| 3745-266-507 | Residues of hazardous waste pharmaceuticals in empty containers  | New     |
| 3745-266-508 | Shipping non-creditable hazardous waste<br>pharmaceuticals from a healthcare facility or<br>evaluated hazardous waste pharmaceuticals<br>from a reverse distributor                      | New     |
| 3745-266-509 | Shipping potentially creditable hazardous<br>waste pharmaceuticals from a healthcare<br>facility or a reverse distributor to a<br>reverse distributor                                    | New     |
| 3745-266-510 | Standards for the management of potentially<br>creditable hazardous waste pharmaceuticals<br>and evaluated hazardous waste pharmaceuticals<br>at reverse distributors                    | New     |
| 3745-270-01  | Purpose, scope, and applicability- land disposal restrictions  | Amended |
| 3745-270-07  | Testing, tracking, and recordkeeping<br>requirements for generators, reverse<br>distributors, treaters, and disposal<br>facilities   | Amended |
| 3745-270-50  | Prohibitions on storage of restricted wastes   | Amended |
| 3745-273-08  | Applicability- household and very small quantity generator waste *   | Amended |
| 3745-273-13  | Waste management- standards for small quantity handlers of universal waste   | Amended |
| 3745-273-33  | Waste management- standards for large quantity handlers of universal waste   | Amended |
| 3745-273-39  | Tracking universal waste shipments- standards<br>for large quantity handlers of universal<br>waste   | Amended |
| 3745-273-62  | Tracking universal waste shipments- standards for destination facilities   | Amended |
| 3745-273-80  | General requirements for petitions to include<br>other wastes under Chapter 3745-273 of the<br>Administrative Code   | Amended |
| 3745-273-81  | Factors for petitions to include other wastes<br>under Chapter 3745-273 of the Administrative<br>Code *  | Amended |
| 3745-279-10  | Applicability- recycled used oil management standards  | Amended |

The purpose of this rulemaking is to propose new rules, rule amendments, and rule rescissions to match the Ohio Hazardous Waste Management rules to recent amendments to their federal counterpart rules in 40 CFR Parts 260, 261, 262, 263, 264, 265, 266, 268, 270, 273, and 279 under the Federal Resource Conservation and Recovery Act (RCRA), as those federal rules were promulgated in the Federal Registers (FR) shown below. Ohio statute requires Ohio's rules to be equivalent to their federal counterpart regulations. This rulemaking also accomplishes the required 5-year review of a number of the Ohio rules in this rulemaking.

These rules address Hazardous Waste Management rules. The FRs listed below created, rescinded, or amended the federal RCRA counterpart regulations that correspond to the Ohio rules listed in this notice.

| Federal RCRA rule title/subject  | Federal Register (FR) page<br>and publication date, and<br>federal Checklist number |
|--|---|
| Electronic manifests<br>(aka e-manifest rule phase 1)  | 79 FR 7518; 02/07/2014<br>Checklist 231   |
| Coal combustion residuals (aka CCR rule, hazardous waste portion)  | 80 FR 21302; 04/17/2015<br>Checklist 235  |
| Hazardous waste export-import revisions  | 81 FR 85696; 11/28/2016<br>Checklist 236  |
| Generator Improvement rule (minus the Definition of Solid Waste provisions)  | 81 FR 85732; 11/28/2016<br>Checklist 237  |
| Hazardous waste export-import revisions:<br>announcement of AES compliance date as<br>12/31/2017   | 82 FR 41015; 08/29/2017<br>on Checklist 236   |
| Confidentiality determinations for hazardous waste export and import documents   | 82 FR 60894; 12/26/2017<br>Checklist 238  |
| User fees for the electronic hazardous waste<br>manifest system, and amendments to manifest<br>regulations<br>(aka e-manifest fee rule, or e-manifest rule<br>phase 2) | 83 FR 420; 01/03/2018<br>Checklist 239  |
| Safe management of recalled airbags  | 83 FR 61552; 11/30/2018<br>Checklist 240  |
| Management standards for hazardous waste<br>pharmaceuticals and amendment to the P075<br>listing for nicotine  | 84 FR 5816; 02/22/2019<br>Checklist 241   |
| Review 2020 rules in Set Gen: State rules due<br>to JCARR by 07/01/2020 for 5-year review.<br>"No-change" rules in this rulemaking: none                               | No FR; state-initiated<br>changes<br>no federal Checklist                           |
| Housekeeping; non-FR-related changes, state-<br>initiated changes; non-substantive corrections   | No FR; state-initiated<br>changes<br>no federal Checklist                           |

The public comment period will remain open until close of business on Monday, August 17, 2020. 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 Monday, August 17, 2020 at 10:30 o'clock am. The public hearing will be held exclusively online. The virtual public hearing may be accessed through Ohio EPA's website at http://epa.ohio.gov/virtual.

Prior to the hearing, and until close of business on the day of the hearing, comments or testimony may be emailed to <u>DERR rulecomments@epa.ohio.gov</u>. 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 Monday, August 17, 2020 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 <a href="https://epa.ohio.gov/derr/derrrules/rcra#176615081-proposed-rules">https://epa.ohio.gov/derr/derrrules/rcra#176615081-proposed-rules</a>.

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

#### Attachment B

#### **Event Name**

Public Hearing: Hazardous Waste Rules Event Start Date August 17, 2020 New York Time August 17, 2020 New York Time

| User Type | FirstName |
|-----------|-----------|
| Panelist  | Kit       |
| Panelist  | Mandi     |
| Attendee  | David     |
| Attendee  | Dean      |
| Attendee  | luciano   |
| Attendee  | Tammy     |
| Attendee  | Stephen   |
| Attendee  | Michelle  |
| Attendee  | Marci     |
| Attendee  | Melisa    |
| Attendee  | Stacey    |
| Attendee  | Mitch     |
| Attendee  | maria     |
| Attendee  | Todd      |
| Attendee  | christie  |
|           |           |

LastName Arthur Payton Smith Harter torres Heffelfinger Kilper Pawlow Kinter W Yanetta Mathews lima Trowbridge myers

#### Email

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# Attachment C

### DERR Haz Waste Set Gen Proposed Rules

August 17, 2020

# TURN ON PRESENTER RIGHTS UP TOP AND TO THE RIGHT

# START RECORDING

Hello and welcome to Ohio EPA's virtual public hearing regarding Division of Environmental Response and Revitalization's proposed hazardous waste rules. My name is Mary McCarron and I'm hosting today's public hearing. With me online from Ohio EPA are Kit Arthur and Mandi Payton. I'd like to note that we are recording this hearing. We will save all comments submitted during the hearing.

Before I start the hearing, I have a couple of tips about the technical end of today's hearing:

- 1) You should see a floating control panel on your screen in the WebEx app. During the event, the sound may fade in and out due to your internet connection. If you experience problems with the sound during the hearing, either wait a moment or two to see if it is restored or, using the icon on the floating control panel, close or disconnect from the audio portion of the presentation, then reconnect to restore the audio.
- 2) Please use the chat feature to report or receive assistance with technical issues.
- 3) Please also use the chat feature to submit comments during the hearing.

### PUBLIC HEARING SPEECH

DERR Set Gen Rules Hearing

Thank you for taking time to attend this hearing before Ohio EPA. The purpose of the hearing today is to obtain comments from any interested person regarding Ohio EPA's proposed rules. Ohio EPA Division of Environmental Response and Revitalization is proposing to amend, rescind, and original file 133 hazardous waste rules. The package is typically referred to as "Set Gen" or "Generator Improvement" rules.

These rules have been filed with the Joint Committee on Agency Rule Review. Copies of the rules are available for public review on our website.

All interested persons are entitled to attend or be represented, and to present written comments concerning the proposed rules. All written comments received as part of the official record will be considered by the director of Ohio EPA.

To be included in the official record, written comments must be received by Ohio EPA by the close of business, today, August 17, 2020. These comments may be typed into the chat today or emailed to <u>DERR rulecomments@epa.ohio.gov</u>. All emailed comments submitted for the record receive the same consideration as typed testimony given today.

Written statements submitted after today may be considered as time and circumstances permit but will not be part of the official record of the hearing.

This hearing affords citizens an opportunity to provide input. Therefore, we will not be able to answer questions today.

# YOU MAY NOW SUBMIT COMMENTS IN WRITING. I will read aloud any comments we receive in the hearing chat. I will keep the chat open until 11 a.m. to provide time for participants to type in comments.

### <u>CLOSING</u>

We will close the hearing. After the hearing closes, we will accept written comments through 5:00 p.m. today. You can send those comments to the email address on the screen.

Thank you for your comments, cooperation and participation in Ohio EPA's decision-making process. The time is now\_\_\_\_\_ and this hearing is concluded.

# **CAPTURE CHATS AND Q&A**

Attachment D



### Division of Environmental Response and Revitalization (DERR) Response to Comments

Rule: DERR-HW- Set Gen proposed rules (133 amended, rescinded, new rules)

### Agency Contact for this Package

Division Contact: Mitch Mathews, DERR, 614/549-2701, Mitchell.Mathews@epa.ohio.gov

Ohio EPA held a public hearing on Monday, August 17, 2020 regarding the proposed rules in what is commonly referred to as the Hazardous Waste Management "Set Gen" rules package, which contained 133 amended, rescinded, and new rules. This document summarizes the comments received at the public hearing, and during the public comment period which ended at the close of business on Monday, August 17, 2020.

Ohio EPA reviewed and considered all comments received during the public comment period. By law, Ohio EPA has authority to consider specific issues related to protection of the environment and public health.

In an effort to help you review this document, the questions are grouped by topic and organized in a consistent format. The name of the commenter follows the comment in parentheses.

No comments were provided during the public hearing. There was one letter of comment received during the public comment period on these rules. It was from Ohio Environmental Services Industries (OESI), which is a trade association comprised of commercial hazardous waste management facilities and affiliated businesses within Ohio, an association of chemical recycling, treatment and disposal facilities.

#### General/Overall

- Comment 1: In general, OESI supports Ohio EPA's proposal to adopt the package referred to as Set Gen, as they would strengthen the hazardous waste regulations and establish greater consistency and parity within the waste industry overall. (Tom Pappas, Executive Director, OESI)
- Response 1: Ohio EPA appreciates the support of our efforts to promulgate the hazardous waste management rules, and the commenter's participation in the rulemaking process.

- Comment 2: OESI encourages Ohio EPA to develop an adoption plan for the Organic Emission Standards for process vents, equipment leaks, tanks, and containers under 40 CFR Part 264, Subparts AA, BB and CC (i.e., the AA/BB/CC regulations). (Tom Pappas, Executive Director, OESI)
- Response 2: This comment is related to the adoption of federal language regarding organic air emissions standards in 40 CFR Part 264 subparts AA/BB/CC. This comment is not relevant to the proposed rules that are the subject of this public hearing or this public comment period.

### End of Response to Comments