

Hearing Summary

Rule Package: OAC Chapter 3745-71, Rescission of Chapter

Original filing date: November 30, 2021

Public comment start date: November 30, 2021

Public comment end date: January 4, 2022

Public hearing date: January 4, 2022

List of Rules: OAC 3745-71-01, 3745-71-03

Were there any participants in this public hearing beyond Ohio EPA staff or JCARR staff?

☐ Yes

☒ No

Were there comments received 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.

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 script read into the record to begin and end the hearing.

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 WAVE (.wav) file format. These recordings may be sent out for transcription if necessary.

Public Notice and Public Hearing
Ohio Environmental Protection Agency
Five-Year Rule Review of Ohio Administrative Code (OAC) Rules
OAC Chapter 3745-71, "Lead Emissions"

Notice is hereby given that the Ohio Environmental Protection Agency, Division of Air Pollution Control (DAPC) has performed a review of the above referenced rules primarily to satisfy the requirements of Section 106.03 and 106.031 of the Ohio Revised Code (five-year review).

Upon review, Ohio EPA has determined that the rules in this chapter conflict with the requirements in OAC rule 3745-25-02 and therefore should be rescinded to prevent future confusion. DAPC is, therefore, rescinding the rules in this chapter.

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 adopts them. On September 16, 2021, these rules went out for a 30-day review by interested parties. No comments were received on the draft BIA or rule documents.

Ohio EPA will hold an in-person and virtual public hearing on the rules on **Tuesday, January 4, 2022 at 10:00 AM**. The in-person hearing will be at the same time and date and will be located at Ohio EPA, Suite 700, 50 W. Town Street, Columbus, Ohio 43215. During the hearing, the public may submit written comments on the record about the proposed rules. If participating virtually, comments may be submitted electronically and may be submitted verbally if participating in person.

To facilitate the scheduling of oral presentations, persons intending to give testimony in-person at the hearing should notify Cathryn Allen at the Ohio EPA Public Interest Center, cathryn.allen@epa.ohio.gov or (614) 644-2160.

Citizens who want to participate virtually must register in advance for the meeting at: <https://register.gotowebinar.com/register/3460112934306859276>

All interested persons are entitled to attend or be represented at the hearing and give written or oral comments on these rule changes. All oral comments presented at the hearing, and all written statements submitted at the hearing or by the close of business on January 3, 2022 will be considered by Ohio EPA prior to final action on this rule and SIP revisions. Written statements submitted after January 3, 2022 may be considered as time and circumstances permit but will not be part of the official record of the hearing.

These rules and associated documents are available on DAPC's Web page for electronic downloading at: <https://epa.ohio.gov/dapc/DAPCrules>

Questions regarding accessing the web site should be directed to Paul Braun at 614-644-3734; other questions or comments about these rules should also be directed to Mr. Braun at Ohio EPA, (614) 644-3734, paul.braun@epa.ohio.gov, or mailed to Paul Braun, Ohio EPA, Division of Air Pollution Control, Lazarus Government Center, P.O. Box 1049, Columbus, Ohio 43216-1049.

SAMPLE RULES SPEECH

Jan. 4, 2021

Hello and welcome to Ohio EPA's virtual public hearing regarding OAC Chapter 3745-71, "Lead Emission Rules". My name is Jessica Langdon and I'm hosting today's public hearing. Also with me from Ohio EPA is Amanda Payton, Ohio EPA's Rules Coordinator who is in-person. I'd like to note that we are recording this hearing. We will save all comments submitted during the hearing.

Before we get started, I'd like to go over a few items to help you navigate the GoTo platform.

On this slide here you will see an example screenshot of your Attendee interface. You should see something that looks like this on your computer desktop on the right-hand side of your screen. For this public hearing you are listening in using your computer audio. If you are having sound issues or if the slides stop advancing, try refreshing your browser. If that doesn't work, try logging off and logging back in.

Please submit public comments by clicking on the question mark icon and typing them into the Questions pane on your attendee interface. All comments submitted online will be read aloud for the whole audience to hear.

(You can also click on the document icon to view included handouts.)

For those attending in person, you may submit your testimony verbally by moving close to Ms. Payton's broadcast tablet, stating your name, and proceeding with your testimony when we call on you.

PUBLIC HEARING SPEECH

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 is proposing to amend the following rules of the Ohio Administrative Code:

Upon review, Ohio EPA has determined that the rules in this chapter conflict with the requirements in OAC rule 3745-25-02 and therefore should be rescinded to prevent future confusion. DAPC is, therefore, rescinding the rules in this chapter.

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, Jan 4, 2021. These comments may be typed into the GoTo platform or spoken in-person today or emailed to Paul.braun@epa.ohio.gov. All emailed comments submitted for the record receive the same consideration as typed or in-person 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. I will read aloud any comments we receive in the GoTo platform. If you are attending in-person and would like to submit testimony, please raise your hand, and wait to be called on. I will keep the GoTo platform open until XXXXX to provide time for participants to type in comments.

CLOSING

We will close the hearing. After the hearing closes, we will accept written comments through 5:00 p.m. Today, Jan. 4, 2021. 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.