



**Environmental
Protection
Agency**

Hearing Summary

Rule Package: DERR Cessation of Regulated Operations (CRO) rules

Original filing date: April 10, 2025

Public comment start date: April 10, 2025

Public comment end date: May 15, 2025

Public hearing date: May 15, 2025

List of Rules: 3745-352-01, 3745-352-05, 3745-352-10, 3745-352-15, 3745-352-20, 3745-352-25 3745-352-30, 3745-352-35, 3745-352-40

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 sign-in sheet for this hearing.
 3. **Attachment C** - A copy of the script read into the record to begin and end the hearing.
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Ohio EPA digitally records all public hearings for rules. The digital recordings are available upon request. These recordings may be sent out for transcription if necessary.

OHIO ENVIRONMENTAL PROTECTION AGENCY

Public Notice
Proposed Rulemaking Governing
Cessation of Regulated Operations

Notice is hereby given that the Director of Environmental Protection, under the authority of Sections 3752.01, 3752.03, 3752.04, 3752.05, 3752.06, 3752.07, 3752.09, 3752.10, 3752.11, 3752.111, 3752.112, and 3752.113 of the Ohio Revised Code and in accordance with Chapter 119, proposes to original file (propose) the following rules of the Ohio Administrative Code:

OAC Rule #	Rule Title * indicates amended title	Action
3745-352-01	Definitions and incorporation by reference in the CRO rules. *	Amend
3745-352-05	Definitions in the CRO rules.	Rescind
3745-352-10	What is the "Cessation of Regulated Operations" program and how do I determine whether the "CRO rules" apply to a facility?.	Rescind
3745-352-15	Who is responsible for complying with the applicable "CRO rules"?.	Rescind
3745-352-20	What are my responsibilities if I am an owner or operator?.	Rescind
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?.	Rescind
3745-352-30	Providing adequate security. *	Amend
3745-352-35	How do I designate a contact person?.	Rescind
3745-352-40	Obtaining a waiver from compliance with certain requirements of the CRO program. *	Amend

These rules address the Cessation of Regulated Operations.

There are two purposes for this rulemaking. First, these rules are submitted for their required five-year review under Ohio Revised Code 119. Second, the rules in this package are being either rescinded, or amended to maximize reliance on the statute and minimize the CRO rules for implementation of the CRO program.

The public comment period will run until May 15, 2025. 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 an in-person and virtual public hearing on these rules on May 15, 2025, at 2:00 pm. 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, or verbally if participating in person.

Citizens who want to participate virtually must register in advance for the meeting at: <https://register.gotowebinar.com/register/6717855963402520917>

Registration for the in-person hearing is not required. Citizens who intend to give testimony at the hearing should notify Ohio EPA's Communication and Outreach Center, P.O. Box 1049, Columbus, Ohio 43216-1049, (614) 644-2160, or email mary.mccarron@epa.ohio.gov. Prior registration will ensure that registrants are heard ahead of those individuals who register at the hearing. Oral testimony may be limited to five minutes, depending on the number of persons testifying. All interested persons

are entitled to attend or be represented and to present oral and/or written comments concerning the proposed rulemaking. To request a reasonable accommodation at the public hearing due to a disability, visit <https://epa.ohio.gov/ada>.

Written testimony entered into the SmartComment system at:

<https://ohioepa.commentinput.com?id=arYKt7f9S> or sent to the attention of Zak Kabelen and Kit Arthur at the Division of Environmental Response and Revitalization, P.O. Box 1049, Columbus Ohio 43216-1049. Written comments may also be submitted to the Hearing Officer at the public hearing. Written testimony will receive the same consideration as oral testimony. All testimony received at the hearing or by close of business on May 15, 2025, 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 rule package should be directed to Zak Kabelen at 614/441-0262 or Kit Arthur at 614/644-2932 at the Division of Environmental Response and Revitalization, or by email to derr_rulecomments@epa.ohio.gov.

The proposed rules are also accessible on the Division of Environmental Response and Revitalization's proposed rules web page at <https://epa.ohio.gov/divisions-and-offices/environmental-response-revitalization/regulations/proposed-rules>. To receive a hard copy of the proposed rules, please contact the Division of Environmental Response and Revitalization receptionist at 614/644-2924.

Attendee Report:

Report Generated:

05/15/2025 02:47 PM EDT

Webinar ID	Actual Start Date/Time	Duration	# Registered	# Attended	Clicked Registration Link	Opened Invitation
984-501-659	05/15/2025 01:46 PM EDT	45 minutes	4	2	76	0

Public Hearing: Cessation of Regulated Operations Proposed Rules

Staff Details

Attended	Interest Rating	Last Name	First Name	Email Address	Role	Join Time - Leave Time (Time in Session)	Time in Session
Yes	Not applicable for staff	McCarron	Mary	mary.mccarron@epa.ohio.gov	Organizer	05/15/2025 01:46 PM EDT - 05/15/2025 02:30 PM EDT (45 minutes)	45 minutes
Yes	Not applicable for staff	Payton	Amanda	amanda.payton@epa.ohio.gov	External Organizer	05/15/2025 01:51 PM EDT - 05/15/2025 02:30 PM EDT (39 minutes)	39 minutes
No	Not applicable for staff	Arthur	Kit	Katherine.Arthur@epa.ohio.gov	External Organizer	n/a	n/a
No	Not applicable for staff	Moore	Max	max.moore@epa.ohio.gov	External Organizer	n/a	n/a
No	Not applicable for staff	Heffelfinger	Tammy	Tammy.Heffelfinger@epa.ohio.gov	External Organizer	n/a	n/a
No	Not applicable for staff	Kabelen	Zachary	Zachary.Kabelen@epa.ohio.gov	External Organizer	n/a	n/a

Attendee Details

Attended	Interest Rating	Last Name	First Name	Email Address	Registration Date/Time	Join Time - Leave Time (Time in Session)	Time in Session
Yes	96	Mauk	Joshua	jmauk1111@gmail.com	04/11/2025 09:50 AM EDT	05/15/2025 01:52 PM EDT - 05/15/2025 01:53 PM EDT (1 minute),05/15/2025 01:57 PM EDT - 05/15/2025 02:02 PM EDT (5 minutes),05/15/2025 02:03 PM EDT - 05/15/2025 02:17 PM EDT (15 minutes),05/15/2025 02:21 PM EDT - 05/15/2025 02:23 PM EDT (2 minutes),05/15/2025 02:24 PM EDT - 05/15/2025 02:26 PM EDT (3 minutes),05/15/2025 02:29 PM EDT - 05/15/2025 02:30 PM EDT (1 minute)	26 minutes
Yes	90	Schwendeman	Tim	tschwendeman@ppg.com	04/10/2025 01:34 PM EDT	05/15/2025 02:02 PM EDT - 05/15/2025 02:04 PM EDT (2 minutes),05/15/2025 02:05 PM EDT - 05/15/2025 02:05 PM EDT (1 minute)	3 minutes
No	0	Kinsler	Allen	akinsler@gfxltd.com	04/10/2025 01:28 PM EDT	n/a	n/a
No	0	Specht	Allie	aspecht@ppg.com	04/10/2025 04:04 PM EDT	n/a	n/a

DERR CRO Proposed Rules

May 15, 2025

Hello and welcome to Ohio EPA's public hearing regarding the Division of Environmental Response and Revitalization's proposed rules. My name is Mary McCarron, and I'm hosting today's public hearing. Tammy Heffelfinger, Zach Kabelen, Kit Arthur, and Mandi Payton are with me today from Ohio EPA. In a moment, we will move to the public hearing, where we will take official comments on the proposed rules.

I'd like to note that we are recording this hearing and will save all comments submitted during it.

Before we get started, I'd like to review a few items that will help our online participants navigate the GoTo platform.

On this slide, you will see an example screenshot of your Attendee interface. You should see something similar 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, try refreshing your browser. If that doesn't work, try logging off and logging back in.

Please submit public comments by clicking 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 audience.

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

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

We will now begin the hearing.

PUBLIC HEARING SPEECH

Thank you for taking the time to attend this hearing before Ohio EPA. Today's hearing is to obtain comments from any interested person regarding Ohio EPA's proposed rules.

Ohio Environmental Protection Agency proposes to amend rules in Ohio Administrative Code Chapter 3745-352 regarding the Cessation of Regulated Operations (CRO). There are two purposes for this rulemaking. First, these rules are submitted for their required five-year review. Second, the rules in this package are being either rescinded, or amended to maximize reliance on the statute and minimize the CRO rules for implementation of the CRO program. The proposed rules include

- To amend 3745-352-01 Definitions and incorporation by reference in the CRO
- To rescind 3745-352-05, 10, 15, 20, 25, and 35
- And To amend 3745-352-30 Providing adequate security.

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 comments concerning the proposed rules. The director of Ohio EPA will consider all comments received as part of the official record.

To be included in the official record, Ohio EPA must receive comments by the close of business today, May 15, 2025. These comments may be typed into the GoTo platform today, spoken in person, or entered online at ohioepa.commentinput.com. All comments submitted for the record receive the same consideration regardless of they arrive at Ohio EPA.

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

This hearing allows the public 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 allow participants to type in comments.

CLOSING

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.