

## MEMORANDUM OF RESPONSE

To: Michael Bender, Business Advocate

From: Mandi Payton, Agency Rules Coordinator

Date: November 12, 2024

Subject: Memorandum of Response to CSI Review – Standardized Permitting, RAP, and RD&D Permits

### **Recommendations**

On November 12, 2024, Ohio EPA received the recommendations for the Ohio EPA's Division of Environmental Response and Revitalization's Standardized Permitting, RAP, and RD&D Permits (OAC Chapters 3745-50, 3745-51, 3745-52, 3745-53, 3745-54, 3745-55, 3745-57, 3745-65, 3745-66, 3745-205, 3745-256, 3745-266, 3745-267, 3745-270, and 3745-273) rules.

In summary, the CSI memorandum stated that:

“The business community impacted by the rules includes all businesses that generate, treat, dispose, or transport hazardous waste. The adverse impacts created by the rules include the cost of obtaining a treatment, storage, and disposal permit, personnel training, safety equipment, inspections, and record maintenance. OEPA estimates that the cost of obtaining a permit can cost over \$100,000 depending on the nature of the hazardous waste management activity. The new standardized permitting pathway created in these rules, however, is estimated by OEPA to result in savings to the applicant ranging from \$183-\$38,000 per permit. OEPA also provided information to the CSI Office regarding additional benefits to business in the new rules, stating that the new pathway would allow hazardous waste generating facilities to store waste onsite in tanks, containers and containment buildings, allow facilities to treat waste non-thermally, and reduce the amount of information required for OEPA review, resulting in permit review time reductions of at least 25% or more. The new RD&D permit process allowed by this rule package will also enable facilities to utilize innovative technologies for treating hazardous waste for up to one year, allow modifications and waivers for certain requirements that would ordinarily be part of a standard permit, and allow flexibility to test new technologies before moving through the formal permitting process. As a result, these new options provide businesses with significant new flexibilities that are currently prohibited in Ohio.

Based on the information above, the CSI Office has no recommendations on this rule package. The CSI Office concludes that OEPA should proceed in filing the proposed rules with the Joint Committee on Agency Rule Review.”

**Next Steps**

Currently, it is Ohio EPA's plan to move forward with the original filing of these rules with the Joint Committee on Agency Rule Review.

If you have any questions, please contact Mandi Payton at [amanda.payton@epa.ohio.gov](mailto:amanda.payton@epa.ohio.gov).