

MEMORANDUM OF RESPONSE

To: Jacob Ritzenthaler, Business Advocate

From: Mandi Payton, Agency Rules Coordinator

Date: April 10, 2025

Memorandum of Response to CSI Review – Cessation of Regulated Operations
(OAC 3745-352-01, 3745-352-05, 3745-352-10, 3745-352-15, 3745-352-20,
Subject: 3745-352-25, 3745-352-30, 3745-352-35, and 3745-352-40)

Recommendations

On April 9, 2025, Ohio EPA received the recommendations for the Ohio EPA's Division Environmental Response & Revitalization's Cessation of Regulated Operations (OAC 3745-352-01, 3745-352-05, 3745-352-10, 3745-352-15, 3745-352-20, 3745-352-25, 3745-352-30, 3745-352-35, and 3745-352-40) rules.

In summary, the CSI memorandum stated that:

“The business community impacted by the rules includes businesses that utilized regulated substances and have ceased all regulated operations for more than one year. The adverse impacts created by the rules include ensuring that facilities are secured against unauthorized entry, which can include providing entry barriers and posting warning signs, as well as requirements for submitting a waiver request, which must include a copy of the interim maintenance and operation plan and written documentation. OEPA states that the adverse impacts created by the rules are necessary to comply with statute and prevent regulated substances from becoming a threat to human health or the environment.

Based on the information above, the CSI Office has no recommendations on this rule package.

The CSI Office concludes that the 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.