RULE SYNOPSIS

Draft rule language for Ohio Administrative Code (OAC) Rule 3750-90-01
“Applying for Access to Information”

On behalf of the State Emergency Response Commission (SERC), the Ohio Environmental Protection Agency, Division of Air Pollution Control has drafted new OAC rule 3750-90-01 “Applying for Access to Information” pursuant to Ohio law.

The rule establishes the framework to request information being submitted under Ohio Revised Code (ORC) Chapter 3750, Emergency Planning to the State Emergency Planning Committee or the Local Emergency Planning Committees (LEPCs). The rule mirrors the public information language that is found in ORC 3750.02(B)(2)(c).

Changes made as a result of comments on the draft rules
On April 26, 2018, Ohio EPA released a copy of draft changes to these rules for a 30-day public comment period. Ohio EPA received one set of comments with several suggestions from the American Petroleum Institute (API). The suggestions consisted mostly of language changes for clarification. The most significant being the removal of the term “authorized representatives” in paragraph (B) to match the statute language. Please see the response to comments for a detailed discussion of changes and Ohio EPA’s responses.

Original Draft Changes made to this Chapter
This rule is a new rule which was released for a 30-day public comment period ending May 30, 2018. The new rule language will be carried forward into the rule being proposed to the Joint Committee on Agency Rule Review (JCARR) unless superseded by a change detailed in the preceding section.