



July 16, 2021

## Interested Party Release- Updating Outdated Modes of Communication

### Why are these rules being amended and what changes are being considered?

In a joint rulemaking effort, the Lieutenant Governor's office and Ohio EPA have identified instances where outdated modes of communication, such as paper mail, facsimile, or newspaper, are required. Also identified were rules that contained the requirement for regulated entities to submit multiple copies of a document. To reduce adverse impacts to regulated entities and to provide modern options, Ohio EPA is releasing drafts containing only amendments to those instances.

### What do these rules cover?

The rules in this package affect a variety of industries and the subject matter is covered by different divisions within Ohio EPA. This rulemaking effort does not constitute a 5-year review. Ohio EPA is including the following rules in this package:

Rule Number	Division	Title
3745-103-18	DAPC	Administrative permit amendment.
3745-103-29	DAPC	Opt-in application requirements for combustion sources.
3745-103-61	DAPC	Permit application and compliance plans.
3745-112-04	DAPC	Exemptions.
3745-20-03	DAPC	Standard for notification prior to demolition or renovation.
3745-78-01	DAPC	Definitions.
3745-27-37	DMWM	Infectious waste treatment facility permit to install application.
3745-27-50	DMWM	Solid waste incinerator or solid waste energy recovery facility permit to install application.
3745-27-53	DMWM	Final closure of solid waste incinerator or solid waste energy recovery facilities.
3745-28-07	DMWM	Infectious waste host fees.
3745-501-10	DMWM	License applications and application procedures.
3745-3-03	DSW	POTW pretreatment programs.
3745-42-01	DSW	Definitions.
3745-50-33	DERR	Fees for the off-site disposal of hazardous waste.
3745-50-35	DERR	Fees for the treatment of hazardous waste.
3745-352-40	DERR	How can I get a waiver from complying with certain requirements of rule 3745-352-20 of the Administrative Code?.
3745-300-04	DERR	Certified laboratories.
3745-7-12	DDAGW	Suspension or revocation of certification.
3745-34-40	DDAGW	Seismic reflection survey requirements for class I wells.
3745-91-12	DDAGW	Certification by political subdivisions and investor-owned public utilities.
3745-91-02	DDAGW	Application for approval of plans.
3745-89-08	DDAGW	Analysis and Reporting.
3745-81-66	DDAGW	Source monitoring results and grandfathered data.

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### **What additional information is the Agency seeking?**

The Agency is seeking comments from interested stakeholders (public, local officials, industry sectors, other state agencies, consultants and environmental organizations) who may be impacted by these rule revisions. General comments and specific factual information are welcome.

In addition to the draft rule amendments, Ohio EPA is also seeking comments and feedback on the draft Common Sense Initiative (CSI) Business Impact Analysis (BIA) forms, which are being released with these draft rules during interested party review. Each division within the Ohio EPA has prepared BIAs for their respective rules.

### **How are the amendments formatted in the draft rules?**

The rules have been drafted as amended rules; the text that is considered for deletion is identified in strikeout font; new text is underlined.

### **What is the rulemaking schedule?**

At this time, the Agency is soliciting input on these draft rule revisions. Ohio EPA is required by section 121.39(D) of the Revised Code to contact potentially affected parties prior to adopting rule changes. At the close of the interested party comment period, the Agency will review the comments and make necessary changes to the rules. The Agency will then file proposed rules with the Joint Committee on Agency Rule Review, the Legislative Service Commission and the Secretary of State.

### **How can I comment on the draft rules?**

Please submit your comments in one of the following ways:

- By email: [amanda.payton@epa.ohio.gov](mailto:amanda.payton@epa.ohio.gov)
- By postal mail:

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Comments on the draft rules must be received no later than 5:00 p.m. on August 13, 2021.

### **How can I get more information?**

Copies of this fact sheet, BIA form, and the draft rules are available on each division's rules webpage at:

DMWM <https://epa.ohio.gov/dmwm/dmwmnonhazrules#126793967-interested-party>

DDAGW <https://epa.ohio.gov/ddagw/rules#110542561-interested-party-review>

DSW <https://epa.ohio.gov/dsw/dswrules#120473213-interested-party-review>

DAPC <https://epa.ohio.gov/dapc/DAPCrules#188902674-interested-party-review>

DERR- Hazardous Waste <https://epa.ohio.gov/derr/derrrules/rcra#176615080-interested-party-review>

DERR-VAP <https://epa.ohio.gov/derr/derrrules#113212698-interested-party-review>

For more information about these draft rules, please contact:

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