

## **RULE SYNOPSIS**

### **Draft rule language for Ohio Administrative Code (OAC) 3745-104 For Five-Year Rule Review**

The Ohio EPA Division of Air Pollution Control (DAPC) has completed the five-year review for Ohio Administrative Code (OAC) 3745-104 that became effective August 13, 1999. These rules were released to Ohio EPA's standard interested parties list and a draft was placed for public access on DAPC's Regulations and What's New websites during a 30-day Early Stakeholder comment period ending January 3, 2015. DAPC did not receive any comments on these rules.

Section 112(r) of the federal Clean Air Act Amendments of 1990 (CAAA) mandated a new focus on the prevention of chemical accidents. The objective of section 112(r) is to prevent serious chemical accidents that have the potential to affect public health and the environment. The CAAA required U.S. EPA to promulgate regulations for chemical accident prevention, which includes hazard assessments, a prevention program, and an emergency response program.

The Ohio EPA RMP rules, which are consistent with federal requirements, became effective August 13, 1999. Ohio EPA DAPC received delegation of authority for the Accidental Release Prevention Program, or Risk Management Plan (RMP) program, effective January 3, 2000.

There have been no changes in the federal regulations on which the rules in this chapter are based. DAPC did identify one issue with rule citations in OAC rule 3745-104-39. The rule citations in paragraphs (B)(4) and (B)(5) of the rule have been updated to reference the correct paragraphs in OAC rule 3745-104-45 and 3745-104-46 respectively. The remainder of the rules in this chapter were proposed to the Joint Committee on Agency Rule Review as No-change rules to fulfill the requirements of ORC 119.032.