



Early Stakeholder Outreach — OAC Chapter 3745-19 - Open Burning Program Rules

Ohio EPA prepares early stakeholder outreach fact sheets to ensure stakeholders are brought into the review process as early as possible and to obtain additional input and discussion before development of interested party draft rules.

What does OAC Chapter 3745-19 cover?

Chapter 3745-19 of the Ohio Administrative Code (OAC) contains the requirements for Ohio's Open Burning Program. These rules assist Ohio in the attainment and maintenance of the national ambient air quality standards for particulate matter and are a part of Ohio's State Implementation Plan (SIP) as required in Section 110 of the Clean Air Act. These rules regulate the type of fire, size of fire, and materials that may be burned as well as establishing the requirements for obtaining a permission to open burn and penalties for violations of the open burning regulations.

Why are these rules being sent out for Early Stakeholder Outreach?

The first step in the rule-making process is for Ohio EPA to identify that a rule needs to be amended, rescinded, or created. In response to EO 2011-01K, Ohio EPA has added an additional step to ensure stakeholders are brought into the rule process as early as possible. This additional interested party notification and request for information will allow for early feedback before the rule language has been developed by the Agency.

What changes are being considered?

Ohio EPA will be performing a general review of the rules in this chapter to fulfill the requirements of ORC 106.03 and 106.031 (5-year review). Along with various minor changes for clarification and to fix typographical errors, Ohio EPA is considering the possibility of moving fires for recognized horticultural, silvicultural, and prairie management purposes from permission required to notification required status.

Who will be regulated by these rules?

The rules in OAC Chapter 3745-19 are applicable to individuals and businesses wishing to perform open burning and regulate the type of fire, size of fire, and materials that may be burned.

What is the rulemaking schedule?

Upon completion of the Early Stakeholder Outreach portion of this rulemaking, Ohio EPA will make any changes necessary to the rule language and make a draft of the rule language available to the public for a 30-day review.

What input is the Agency seeking?

The following questions may help guide you as you develop your comments.

- Is the general regulatory framework proposed the most appropriate? Should the Agency consider any alternative framework?

How can I provide input?

The Agency is seeking stakeholder input on the rules. When preparing your comments, be sure to:

- explain your views as clearly as possible;
- describe any assumptions used;
- provide any technical information and/or data used to support your views;
- explain how you arrived at your estimate for potential burdens, benefits or costs;
- provide specific examples to illustrate your views; and
- offer alternatives.

Written comments will be accepted through close of business Friday, October 7, 2016.

Please submit input to:

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What if I have questions?

These rules can be found on Ohio EPA's website for electronic downloading at: http://epa.ohio.gov/dapc/regs/3745_19.aspx or contact Mr. Braun (information provided above).

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- What options are available for improving an identified concept? What options are available for improving the existing rules?
- Are there considerations the Agency should take into account when updating the existing rules? Are there considerations the Agency should take into account when developing a specific concept?
- Is there any information or data the Agency should be aware of when developing program concepts or rule language?

Contact

For more information, contact Paul Braun at paul.braun@epa.ohio.gov or (614)644-3734.