



Early Stakeholder Outreach — New SERC Rule 3750-90-01, “Applying for Access to Information”

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 Rule 3750-90-01 cover?

The State Emergency Response Commission (SERC) has identified the potential need for a new rule. The new rule, to be numbered rule 3750-90-01 of the Administrative Code would establish the framework for requesting from either the SERC or Local Emergency Planning Committees (LEPCs) information submitted under ORC Chapter 3750, Emergency Planning. The rule will likely mirror the public information language found in Ohio Revised Code (ORC) 3750.02(B)(2)(c).

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The first step in the rule-making process is for Ohio EPA to identify that a rule needs to be amended, rescinded, or created.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?

The SERC is considering developing a new rule which will outline the process for requesting information from the SERC or the LEPCs.

Who will be regulated by these rules?

This rule will provide a framework through which the public can request information from the SERC or the LEPCs.

What is the rulemaking schedule?

Upon completion of the Early Stakeholder Outreach portion of this rulemaking, the SERC, through 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?
- Are there considerations the Agency should take into account when developing the new rule? 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?

How can I provide input?

The Agency is seeking stakeholder input on the potential new rule. 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, January 12, 2018**
Please submit input to:

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What if I have questions?

Because this is a potential new rule, there is no existing language at this time. Please contact Mr. Braun (information provided above) with any questions about how to provide comments.

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Ohio EPA would especially like to hear information regarding the following from stakeholders who may be impacted by the new program.

- Would this regulatory program have a positive impact on your business? Please explain how.
- Would this regulatory program have an adverse impact on your business? If so, please identify the nature of the adverse impact (for example, license fees, fines, employer time for compliance).

Contact

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