

Public Hearing
Ohio Environmental Protection Agency
Five-Year Rule Review of Ohio Administrative Code (OAC) rules:
3750-1-01; 3750-1-02; 3750-15-05; 3750-25-01; 3750-25-05; 3750-25-10; 3750-25-15;
3750-30-01; 3750-30-20; 3750-50-03; 3750-50-05; 3750-50-10 and 3750-50-20

Notice is hereby given that the Ohio Environmental Protection Agency, Division of Air Pollution Control (DAPC) on behalf of the State Emergency response Commission (SERC) has performed a review of the above referenced rules primarily to satisfy the requirements of Section 106.03 of the Ohio Revised Code (ORC) (five-year review).

The DAPC finds the following rules to be necessary and with need for changes. The DAPC proposes to amend OAC 3750-1-01, "Definitions and Incorporation by Reference" to update Code of Federal Regulations (CFR) reference standard dates, OAC 3750-30-01, "Facilities Subject to hazardous Chemical Reporting Requirements" to align the reporting for oil and gas facilities regulated under ORC 1509 to report to the electronic database created and hosted by ODNR that shall satisfy reporting under ORC 3750, and OAC 3750-30-20, "Facility Emergency and Hazardous Chemical Inventory Form" to incorporate federal OSHA changes to hazard categories from five to two.

The following are being amended to fix typo errors and update rules to match agency and Legislative Services Commission (LSC) format standards: OAC 3750-15-05 "Public Notice of Proposed Rules", OAC 3750-25-01 "Facilities Subject to Emergency Release Notification Requirements", 3750-25-05 "Designation of Hazardous Substances", OAC 3750-25-10 "Determination of Reportable Quantities for Hazardous Substances", OAC 3750-25-15 "Calculations for Reportable Quantities for Continuous Releases", OAC 3750-50-03 "Emergency Planning and Community Right-to-Know Fund", OAC 3750-50-10 "Grant Application for Emergency Planning and Community Right-to-Know Funds" and OAC 3750-50-20 "Emergency Planning and Community Right-to-Know Reserve Fund".

The DAPC has found the following rules to be necessary but without need for changes: OAC 3750-1-02 "Purpose" and OAC 3750-50-05 "Special Emergency Planning Fund.

Pursuant to ORC Section 121.39, DAPC was required to consult with interested parties affected by the rules before the Division formally adopts them. On these rules went out for a 30-day review by interested parties. No comments were received.

Pursuant to Section 119.03 of the Ohio Revised Code, a public hearing on these rule changes will be conducted on **September 6, 2017 at 10:30 AM** at Ohio EPA, Lazarus Government Center, 50 W. Town Street, Suite 700, Columbus, Ohio. All visitors to Ohio EPA must register at the Security desk in the lobby upon arrival. Please bring photo identification (such as a valid driver's license). For security reasons, visitors are required to wear their badge at all times while in the building. Please arrive early to complete these procedures.

All interested persons are entitled to attend or be represented at the hearing and give written or oral comments on these rule changes. All oral comments presented at the hearing, and all written statements submitted at the hearing or by the close of business on September 6, 2017, will be considered by Ohio EPA prior to final action on this rule. Written statements

submitted after September 6, 2017, may be considered as time and circumstances permit, but will not be part of the official record of the hearing.

These rules are available on DAPC's Web page for electronic downloading. The URL is: <http://epa.ohio.gov/dapc/DAPCrules.aspx> and see the information under the "proposed rules" tab. Questions regarding accessing the web site should be directed to Paul Braun at 614-644-3734; other questions or comments about these rules should be directed to Jeff Beattie at Ohio EPA, (614) 6442269, jeffery.beattie@epa.ohio.gov or mailed to Paul Braun, Ohio EPA, Division Air Pollution Control, Lazarus Government Center, P.O. Box 1049, Columbus, Ohio 43216-1049. Persons submitting comments electronically are encouraged to follow-up with a hard copy via regular mail.