

3750-85-01      **Application for variance by political subdivision.**

- (A) Any political subdivision applying for a variance under division (C) of section 3750.11 of the Revised Code shall submit its application in writing to the local emergency planning committee of the district in which the political subdivision is located. The political subdivision shall include in its application:
- (1) A certified copy of the ordinance, resolution, rule, or requirement which is the subject of the application for the variance;
  - (2) A signed statement from the political subdivision stating the basis for requesting the variance; and
  - (3) Documents, sworn statements and other materials which support and address each criteria listed in criterion listed in paragraphs (A) and (B) of rule 3750-85-02 of the Administrative Code.
- (B) On or before the date that the political subdivision submits the variance application to the committee, the political subdivision shall mail by certified mail, return receipt requested, notice of the application and a summary of the reporting requirement to the owner or operator of each facility within the political subdivision that the political subdivision determines would be subject to the reporting requirement.
- (C) At least seventy two hours prior to a scheduled meeting of the committee where an application for a variance is to be considered, a copy of the proposed agenda shall be provided by the committee to the political subdivision applying for the variance, and the facility that would be subject to the variance should it be granted. This proposed agenda shall provide the location, date, and time of the meeting.
- (D) Any application for a variance that fails to provide sufficient information for the local emergency planning committee to make the findings required under rule 3750-85-02 of the Administrative Code shall be considered incomplete. A political subdivision that submits an incomplete application will be notified in writing of the nature of the deficiencies. No action will be taken on an incomplete application, until the deficiencies have been addressed.

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CERTIFIED ELECTRONICALLY  
Certification

01/13/2006  
Date

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