

BEFORE THE
OHIO ENVIRONMENTAL PROTECTION AGENCY
PUBLIC NOTICE
OF AMENDMENT, ADOPTION, AND RESCISSION OF
RULES GOVERNING HAZARDOUS WASTE MANAGEMENT

Notice is hereby given that the Director of Environmental Protection, under the authority of the Ohio Revised Code (ORC) section 3734.12, has rescinded and adopted the rules of the Ohio Administrative Code listed here, as ordered on January 13, 2009:

Rescinded rules: 3745-51-32, 3745-54-72, 3745-65-71, and 3745-65-72.

New rules: 3745-50-235, 3745-51-32, 3745-52-21, 3745-52-27,
3745-54-72, 3745-65-71, 3745-65-72, and 3745-270-20.

Amended rules: 3745-50-10, 3745-50-11, 3745-50-28, 3745-50-40, 3745-50-44,
3745-50-45, 3745-50-46, 3745-50-51, 3745-50-57, 3745-50-62,
3745-50-66, 3745-51-01, 3745-51-03, 3745-51-04, 3745-51-05,
3745-51-06, 3745-51-07, 3745-51-08, 3745-51-09, 3745-51-11,
3745-51-20, 3745-51-21, 3745-51-22, 3745-51-24, 3745-51-30,
3745-51-35, 3745-51-38, 3745-52-10, 3745-52-20, 3745-52-32,
3745-52-33, 3745-52-34, 3745-52-41, 3745-52-54, 3745-52-60,
3745-52-70, 3745-53-12, 3745-53-20, 3745-53-21, 3745-54-13,
3745-54-16, 3745-54-18, 3745-54-70, 3745-54-71, 3745-54-76,
3745-54-98, 3745-55-12, 3745-55-13, 3745-55-17, 3745-55-18,
3745-55-19, 3745-55-47, 3745-55-90, 3745-55-99, 3745-57-14,
3745-57-40, 3745-57-83, 3745-57-91, 3745-65-01, 3745-65-12,
3745-65-13, 3745-65-70, 3745-65-76, 3745-66-41, 3745-66-90,
3745-67-73, 3745-68-14, 3745-68-40, 3745-256-100,
3745-266-22, 3745-266-23, 3745-266-70, 3745-266-80,
3745-266-100, 3745-266-101, 3745-266-102, 3745-266-103,
3745-266-106, 3745-266-112, 3745-270-01, 3745-270-40,
3745-270-48, 3745-273-60, 3745-279-10, 3745-279-44,
3745-279-53, 3745-279-55, 3745-279-63, and 3745-279-74.

The primary purpose of this rule-making is to make these rules consistent with and equivalent to their federal counterpart rules as rescinded, created, or amended in the Federal Registers that discuss these concepts, as published in the public notices of proposal of these rules. These rules contain additional substantive and non-substantive amendments and corrections.

The Director of Environmental Protection, after considering public comment on the proposed hazardous waste management rules, adopted these rules in final form pursuant to ORC section 3734.12. The new and amended rules, and the rescission of the rescinded rules, will become effective on February 16, 2009 in accordance with ORC section 119.04(A).

These rules are available electronically from the Register of Ohio, and will remain available there for approximately thirty days after their effective date. They may also be accessed at the Division of Hazardous Waste Management web site at www.epa.state.oh.us/dhwm/welcome at the "Rules and Laws" icon.

You are hereby notified that this action of the Director is final and may be appealed to the Environmental Review Appeals Commission (ERAC) pursuant to ORC section 3745.04. The appeal must be in writing and must set forth the action complained of and the grounds upon which the appeal is based. It must be filed with the ERAC within thirty days after notice of the Director's action. The appeal must be accompanied by a filing fee of \$70.00 which the ERAC, in its discretion, may reduce if by affidavit you demonstrate that payment of the full amount of the fee would cause extreme hardship. The appeal may be filed at this address: Environmental Review Appeals Commission, 309 South Fourth Street, Room 222, Columbus, Ohio 43215. Notice of the filing of the appeal must be filed with the Director within three days after filing with the ERAC. Ohio EPA requests that a copy of the appeal also be served upon the Ohio Attorney General's Office, Environmental Enforcement Section.