



Early Stakeholder Outreach — Requirements for professional engineer certification of plans, specifications, and 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.

Ohio Administrative Code (OAC) 3745-27-99 identifies specific plans, specifications, and information that require certification by a professional engineer licensed to practice engineering in the state of Ohio.

Why is the Agency seeking Early Stakeholder Outreach?

OAC rule 3745-27-99 is scheduled for its five year review under Ohio Revised Code (ORC) section 119.032. The first step in the ORC section 119.032 five year review process is for Ohio EPA to identify whether a rule needs to be amended, rescinded, or created. Ohio EPA will ultimately file the rule with the Joint Committee on Agency Rule Review (JCARR), the secretary of state, and the Legislative Service Commission (LSC).

In response to Executive Order 2011-01K, Ohio EPA has included an additional step to ensure stakeholders are brought into the review 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 is being suggested?

Ohio EPA is proposing to “no-change” file this rule. Ohio EPA feels that amendments to this rule are not necessary at this time.

Who is regulated by this rule?

The owner or operator of a solid waste facility that must submit plans, specifications, and information certified by a professional engineer are subject to this rule.

What input is the Agency seeking?

The Agency is seeking stakeholder input on the suggested concepts included in this document. General comments and specific factual information must be submitted by the July 16, 2014 deadline. 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 proposed concepts included in this document. 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 July 16, 2014. Please submit input to:

Michelle Braun
P.O. Box 1049
Columbus, OH 43216-1049
michelle.braun@epa.ohio.gov

What if I have questions?

Please contact Annette DeHavilland at (614) 728-5373 or
Annette.dehavilland@epa.ohio.gov.

Early Stakeholder Outreach — Requirements for professional engineer certification of plans, specifications, and information.

- What options are available for improving an identified concept?
- 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?

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

- Would this rule have a positive impact on your business? Please explain how.
- Would this rule 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).

What's the next step?

After the July 16, 2014 comment deadline and consideration of stakeholder input, Ohio EPA will prepare changes to the rule. The Agency's next step is then to release a draft version of the rule for interested party review and comment.

A complete summary of [Ohio EPA's rule-making process](http://epa.ohio.gov/Rules.aspx) is available at <http://epa.ohio.gov/Rules.aspx>. Future steps will also include formally filing to amend rule 3745-27-99 with the Joint Committee on Agency Rule Review (JCARR). At that time, JCARR will include the proposed rule on their meeting agenda and take public testimony. Visit JCARR's website for meeting dates and agenda items at <https://www.jcarr.state.oh.us/>.

How can I track the program and rule-development progress?

Stakeholders are encouraged to sign up for the Agency's electronic mailing list which provides automatic updates about various topics. Registered users will receive progress updates and be notified when new information is posted on the program website (epa.ohio.gov/dmwm/dmwmnonhazrules.aspx). To sign up, go to ohioepa.custhelp.com/ci/documents/detail/2/subscriptionpage.