RULE SYNOPSIS

State Emergency Response Commission

Draft rule language for Ohio Administrative Code (OAC) Rules: 3750-1-(01, 02), 3750-10-(01, 03, 05, 07, 08, 09), 3750-15-(01, 02, 05, 10), 3750-20-(10, 60, 70, 72, 74, 76, 78, 80, 82, 84), 3750-25-(01, 05, 10, 12, 13, 15, 20, 25), 3750-30-(01, 15, 20, 25, 27), 3750-50-(01, 03, 05, 07-10, 15, 20, 25), 3750-75-(02-05, 07-10), 3750-80-(01-03), and 3750-85-(01-03).

The intent of this rulemaking is to collect all the non-exempt OAC 3750 rules into a single group and perform a review to satisfy the requirements of Ohio Revised Code (ORC) 106.03 (5-year rule review process).

On behalf of the State Emergency Response Commission (SERC), Ohio Environmental Protection Agency has reviewed OAC Chapter 3750 pursuant to Ohio law (Ohio Revised Code Section 119.032) which requires all agencies review existing rules every five years to determine if the rules should be eliminated or amended, or remain "as-is." If the agency determines the rules should not be amended, the rules are filed with the legislative "Joint Committee on Agency Rule Review" (JCARR) as "no-change" rules. This literally means there are no changes to the existing rule.

Ohio EPA recommends no change to OAC Rules:
- 3750-1-02, Purpose
- 3750-10-03, General Management Rules
- 3750-10-05, Internal Operating Rules
- 3750-10-07, Executive Committee: Issuance of Orders: Persons Who May Request Enforcement Order Procedure
- 3750-10-08, Issuance of Orders to Facilities
- 3750-10-09, Public Testimony
- 3750-15-01, Applicability
- 3750-15-02, Construction of Rules
- 3750-15-10, Severability
- 3750-20-60, Addition of Hazardous Chemicals, Extremely Hazardous Substances and Hazardous Substances
- 3750-20-76, Types of Exercises
- 3750-20-78, Execution of Exercises
- 3750-20-80, Review of Exercises
- 3750-20-82, Issuance of Exercise Order by Commission
- 3750-20-84, Public Review of Plan Exercises
- 3750-25-01, Facilities Subject to Emergency Release Notification Requirements
- 3750-25-05, Designation of Hazardous Substances
- 3750-25-10, Determination of Reportable Quantities for Hazardous Substance
- 3750-25-12, Determining Notification Requirements of Mixtures or Solutions
Ohio EPA recommends amending OAC rules to fix typos, correct simple change in terminology and add federal rule language that provides regulatory guidance for reporting enacted for:

3750-1-01, Definitions and Incorporation by Reference
3750-10-01, Establishment of State Emergency Response Commission, Executive Committee and Committees
3750-20-10, Calculation of Quantities for Comparison with Threshold Planning Quantities for Solids and Mixtures
3750-20-70, Exercise Definitions
3750-20-72, Chemical Emergency Response Plans
3750-20-74, Review of Plans
3750-25-15, Calculation for Reportable Quantities of Continuous Releases
3750-30-01, Facilities Subject to Hazardous Chemical Reporting Requirements
3750-30-15, List or Material Safety Data Sheets (MSDS) Reporting Requirements for Subject Facilities
3750-30-20, Facility Emergency and Hazardous Chemical Inventory Form
3750-30-27, Threshold Quantities for Hazardous Chemical Reporting
3750-50-01 and Annual Inventory Filing Fees and Form.