

# 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
- 3750-15-05, Public Notice of Proposed 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

3750-25-13, Release Notification Requirements for Radionuclides and Solid Particles

3750-25-20, Reportable Quantities for Oil Including Crude Oil

3750-25-25, Release Notification Requirements

3750-30-25, Identification of Hazardous Chemicals

3750-50-03, Emergency Planning and Community Right-to-Know Fund

3750-50-05, Special Emergency Planning Fund

3750-50-07, First-time Filer Grant Awards

3750-50-08, Committees Responsibilities for First-time Filer Grant Application

3750-50-09, Commission Responsibilities for First-time Filer Grant Awards

3750-50-10, Grant Application for Emergency Planning and Community Right-to-Know Funds

3750-50-15, Reimbursement for Costs Incurred under Chapter 3750 of the Revised Code

3750-50-20, Emergency Planning and Community Right-to-Know reserve Fund

3750-50-25, Grant Application for Funds in the Emergency Planning and Community Right-to-Know Reserve Fund

3750-75-02, Facilities Subject to the Emergency Response Lock Box Unit Requirements

3750-75-03, Criteria for the Construction of an Emergency Response Lock Box Unit;

3750-75-04, Emergency Response Lock Box Unit Contents and Maintenance

3750-75-05, Conditions for the Placement of and access to an Emergency Lock Box Unit

3750-75-07, Application for Issuance of a Lock Box Order by a Fire Department

3750-75-08, Application for Issuance of Lock Box Order by a Local emergency Planning Committee

3750-75-09, Decision by Emergency Response Commission Regarding a Lock Box Application from a Local Emergency Planning Committee

3750-75-10, Criteria for Issuing an Order Requiring the Placement of a Lock Box Upon Request by a Political Subdivision

3750-80-01, Application for Variance by Local Emergency Planning Committee

3750-80-02, Criteria for Granting a Variance to a Local Emergency Planning Committee

3750-80-03), Decision by Emergency Response Commission

3750-85-01, Application for variance by Political Subdivision

3750-85-02, Criteria for Granting a Variance to a Political Subdivision

3750-85-03, Decision by Local Emergency Planning Committee.

3750-90-01, Applying for Access to Information

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.