

Infectious Waste Rules Webinar

Five Year Rule Review

Ohio Administrative Code (OAC) Rules 3745-27-01,
3745-27-30, 3745-27-32, 3745-27-33, 3745-27-35,
3745-27-36, 3745-27-37, 3745-27-38, 3745-27-39, and
Chapter 3745-28

Five Year Rule Review

- Review Date: ORC section 119.04
- ORC section 106.03
 - Agency shall determine whether a rule should be:
 - Created
 - Rescinded
 - Amended
 - Retained without change
 - OAC Chapter 3745-27 and 3745-28

Ohio EPA's Rule Process

- Early Stakeholder Outreach



- Interested Party Review



- Original Filing with JCARR



- Final Filing



- Effective Rules

Rule/rule process questions?
Contact: Michelle Mountjoy at
michelle.mountjoy@epa.ohio.gov

Early Stakeholder Outreach

- Fact Sheet
- Thirty day comment period
- Outreach prior to rule development
- No formal responsiveness summary from Ohio EPA



Division of Materials and Waste Management
March 16, 2017

Early Stakeholder Outreach

Infectious Waste Program Rules

Rules 3745-27-01, 3745-27-30, 3745-27-32, 3745-27-33, 3745-27-35, 3745-27-36, 3745-27-37, 3745-27-38, 3745-27-39, and Chapter 3745-28

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.

What do OAC Rules 3745-27-01, 3745-27-30 through 3745-27-39, and Chapter 3745-28 cover?

Ohio Administrative Code (OAC) rules 3745-27-01, 3745-27-30 through 3745-27-39, and Chapter 3745-28 provide the definitions and requirements for infectious waste generators and treatment facilities in the state of Ohio.

Why are these rules being sent out for Early Stakeholder Outreach?

Ohio EPA Division of Materials and Waste Management (DMWM) is seeking early stakeholder input on revisions to the infectious waste rules to gain feedback on opportunities to improve these rules. As part of the rule-making process, Ohio EPA is required by Section 121.39 of the Ohio Revised Code to consult with organizations that represent political subdivisions, environmental interests, business interests, and others affected by the rules. The Ohio EPA is offering your organization the opportunity to comment on these rules before the division formally proposes them.

The first step in the rule-making process is for Ohio EPA to identify that a rule needs to be amended, rescinded, or created. In response to EO 2011-01K, Ohio EPA has added an additional step to ensure stakeholders are brought into the rule 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 changes are being considered?

- Reorganizing the infectious waste rules into their own program chapter, Ohio Administrative Code 3745-570 would allow the infectious waste rules to be more easily found in their own rule chapter instead of crammed into the existing solid waste chapter OAC 3745-27. Reorganization will reduce unnecessary duplication within the regulations and provide an easier to read and more user friendly rule set. An example of one approach to this reorganization is included with this document.
- Off-site infectious waste storage conditions and timeframes from infectious waste generators to treatment facilities would be reestablished to prevent instances of aged untreated infectious waste and illegal disposal of large accumulations of infectious waste.
- Expand infectious waste generators use of bleach as a chemical treatment method to treat additional types of infectious wastes that are not pathological, beyond the current limit of infectious stocks and cultures.
- To include alkaline hydrolysis as a treatment method approved by rule.

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How can I provide input?

The Agency is seeking stakeholder input on the OAC rules 3745-27-01, 3745-27-30 through 3745-27-39, and 3745-28. 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 Friday, April 21, 2017. Please submit input to:

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Columbus, OH 43216-1049
michelle.mountjoy@epa.ohio.gov

What if I have questions?

Please contact Alison Shockley at (614) 728-5335 or email alison.shockley@epa.ohio.gov.



Interested Party (IP) Review

- Draft Rules
- Thirty day comment period
- Business Impact Analysis (BIA)
- eNotification

CSI - Ohio

The Common Sense Initiative

Business Impact Analysis

Agency Name: Ohio Environmental Protection Agency (Ohio EPA)

Regulation/Package Title: _____

Rule Number(s): _____

Date: _____

Rule Type:

New

Amended

5-Year Review

Rescinded

The Common Sense Initiative was established by Executive Order 2011-01K and placed within the Office of the Lieutenant Governor. Under the CSI Initiative, agencies should balance the critical objectives of all regulations with the costs of compliance by the regulated parties. Agencies should promote transparency, consistency, predictability, and flexibility in regulatory activities. Agencies should prioritize compliance over punishment, and to that end, should utilize plain language in the development of regulations.

Regulatory Intent

1. Please briefly describe the draft regulation in plain language.
Please include the key provisions of the regulation as well as any proposed amendments.
2. Please list the Ohio statute authorizing the Agency to adopt this regulation.

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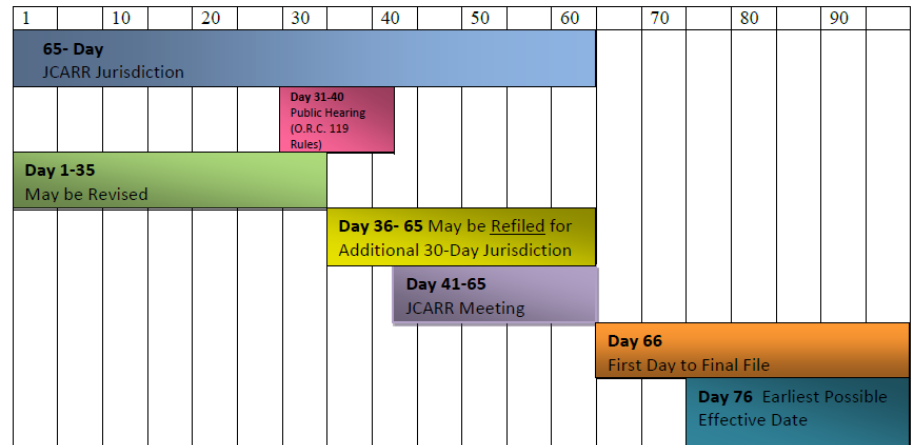
CSIOhio@governor.ohio.gov



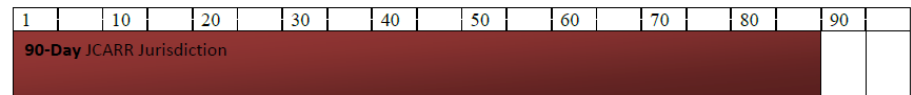
Original Filing

- Draft rules proposed to the Joint Committee on Agency Rule Review (JCARR)
- Ohio EPA Responsiveness Summary
- Ohio EPA Public Hearing
- Hearing Summary
- JCARR Hearing

JCARR Rule Processing Timelines



JCARR No Change Rule Processing Timeline



Final Filing

- Post JCARR Jurisdiction
- Establish an effective date
 - Ten days (ORC 119.04)
- Establish a five year review date
- Final Public Notice and final rules on Register of Ohio
 - <http://www.registerofohio.state.oh.us/>



Thank You!

Questions? Contact:

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Alison Shockley

alison.shockley@epa.ohio.gov

