

State of Ohio
Environmental Protection Agency
Notice of Adoption of Rules
“Open Burning Regulations”

Notice is hereby given that the Director of Environmental Protection, under the authority of Ohio Revised Code Section 3704.03 has adopted amended rules 3745-19-01 to 3745-19-06 of the Ohio Administrative Code (OAC).

These rules are being adopted after a review to fulfill the requirements of Ohio Revised Code (ORC) 119.032 (5-yr review). The amended rule contain several minor changes and clarifications. The most predominant change is the removal of a requirement for law enforcement agencies to notify Ohio EPA for fires for the destruction of evidence, specifically seized marijuana.

A public hearing on this rule was held on March 9, 2012 in Columbus, Ohio. Comments were received on these rules, but no changes were made. A detailed response to comments document can be found at the website listed below.

The Director's order of adoption was issued on May 17, 2012. **The effective date of these rules is Sunday, May 27, 2012.**

To request a copy of this rule, obtain further information, or inspect or request copies of agency files and records pertaining to the proceeding contact Mr. Lee Burkleca, Ohio EPA, Division of Air Pollution Control, Lazarus Government Center, PO Box 1049, Columbus, Ohio 43216-1049 or call Mr. Lee Burkleca at (614) 728-1344. These rules are available on Ohio EPA's Web page at: <http://www.epa.ohio.gov/dapc/regs/regs.aspx#open>.

This action of the Director is final and may be appealed to the Environmental Review Appeals Commission (ERAC) pursuant to Ohio Revised Code Section 3745.04. The appeal must be in writing and set forth the action complained of and the grounds upon which the appeal is based. The appeal must be filed with ERAC within thirty (30) days after notice of the Director's action, at 77 South High Street, 17th Floor, Columbus, Ohio 43215. Copies of the appeal must be served upon the Director of the Ohio EPA within three (3) days of filing with ERAC. Ohio EPA also requests that a copy of the appeal be served upon the Environmental Enforcement Section of the Ohio Attorney General's Office.