

Early Stakeholder Outreach — OAC Chapter 3745-79 – Small Business Technical Assistance Rules

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 does OAC Chapter 3745-79 cover?

Chapter 3745-79 of the Ohio Administrative Code (OAC) fulfills a mandate of Section 507 of the 1990 Clean Air Act Amendments for states to establish a small business assistance program. The program created by these rules and ORC 3704.18 helps small businesses understand and comply with air pollution regulations. In Ohio, the functions of this program are performed by the Office of Compliance Assistance and Pollution Prevention (OCAPP), located within Ohio EPA's Division of Environmental and Financial Assistance.

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

The first step in the rule-making process is for Ohio EPA to identify that a rule needs to be amended, rescinded, or created.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 the Governor's Executive Order (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?

Ohio EPA will be performing a general review of the rules in this chapter to fulfill the requirements of ORC 106.03 and ORC 106.031 (5-year review). Ohio EPA is not aware, at this time, of any major changes necessary to these rules.

Who will be regulated by these rules?

The rules in OAC Chapter 3745-79 establish the small business technical assistance program. Any owner or operator whose building, structure, facility, or installation meets the definition of a small business stationary source as found in OAC rule 3745-79-01 may register with the Ohio environmental protection agency as a small business stationary source. Such registration will entitle the registrant to receive all notices issued pursuant to the small business technical

How can I provide input?

The Agency is seeking stakeholder input on the above mentioned rules. 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 **February 2, 2016**. Please submit input to:

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Columbus, Ohio 43216-1049
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What if I have questions?

These rules can be found on Ohio EPA's website for electronic downloading at: http://epa.ohio.gov/dapc/regs/3745_79.aspx or contact Mr. Braun (information provided above).

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and environmental compliance assistance program.

What is the rulemaking schedule?

Upon completion of the Early Stakeholder Outreach portion of this rulemaking, Ohio EPA will make any changes necessary to the rule language and make a draft of the rule language available to the public for a 30-day review.

What input is the Agency seeking?

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?
- 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 new program.

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