



John R. Kasich, Governor
Mary Taylor, Lt. Governor
Craig W. Butler, Director

July 15, 2016

Re: Interested Parties Review of Draft CRO Rules

Dear Interested Parties:

The Division of Materials and Waste Management (DMWM) is conducting a review of the rules governing Cessation of Regulated Operation, also known as the CRO rules. This review is conducted pursuant to the requirement to review the rules every five years and submit them to the Joint Committee on Agency Rule Review (JCARR) for consideration. The CRO rules are:

| <u>Rule Number</u> | <u>Rule Title</u> |
|--------------------|--|
| 3745-352-01 | Incorporated by reference |
| 3745-352-05 | What definitions do I need to know in order to understand the "CRO rules?" |
| 3745-352-10 | What is the "cessation of regulated operations" program and how do I determine whether the "CRO rules" apply to a facility? |
| 3745-352-15 | Who is responsible for complying with the "CRO rules?" |
| 3745-352-20 | What are my responsibilities if I am an owner or operator? |
| 3745-352-25 | What are my responsibilities if I am a holder of a first mortgage on real property, a fiduciary, an indentured trustee for debt securities, or a receiver? |
| 3745-352-30 | How do I provide adequate security? |
| 3745-352-35 | How do I designate a contact person? |
| 3745-352-40 | How can I get a waiver from complying with certain requirements of rule 3745-352-20 of the Administrative Code? |

The CRO program is designed to implement the Ohio Revised Code sections 3752.01 through 3752.113. Those portions of statute have not changed since the CRO rules' last five-year review. At this time, DMWM is planning to amend only one of the CRO rules, 3745-352-01, to provide some needed updates and some minor stylistic changes to word choice and punctuation. The rest of the CRO rules are offered as "no-change" rules; that is, we plan to submit them to JCARR for consideration without amendment.

The CRO rules provide the requirements for regulated facilities to follow when they temporarily or permanently cease regulated operations, including the proper handling of contaminated equipment and waste materials, site security, designating a contact person, etc. These requirements are designed to ensure the protection of human health and the environment when the facility is no longer operating.

DMWM is seeking input from you on these draft rules by **August 15, 2016**.

As part of the rulemaking process, Ohio EPA is required to prepare and submit a Business Impact Analysis (BIA) form to Ohio's Common Sense Initiative (CSI) Office. This form is also available at this time for public review and comment.

You may view the draft CRO rules at <http://www.epa.ohio.gov/dmwm/dmwmrules.aspx#122183356-interested-party>, or call 614/644-2932 to obtain a copy. Please submit your comments to:

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