

State of Ohio
Environmental Protection Agency
Notice of Adoption of Rules

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 and 3745-19-04 of the Administrative Code. These rules are part of Ohio's open burning regulations.

Amendments were made to these two rules to add language which would allow the use of Air Curtain Burners for the disposal of land clearing wastes via open burning. Specific information on the amendments to these rules can be found in the rule synopsis document, available electronically at the URL listed at the end of this notice.

Pursuant to Section 121.39 of the Ohio Revised Code, DAPC was required to consult with interested parties affected by the rules before the division formally adopts them. On February 18, 2013, these rules went out for a 30 day review by interested parties. Pursuant to Section 119.03 of the Ohio Revised Code, a public hearing on these rules was conducted on Friday, June 7, 2013 at Ohio EPA Central Office, 50 West Town Street, Suite 700, Columbus, Ohio 43215. There were no changes made to the proposed rules and there were no comments received during the public hearing for these rules. The Director's order of adoption was issued on August 8, 2013. **The effective date of these rules is August 18, 2013.**

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. Paul Braun, Ohio EPA, Division of Air Pollution Control, Lazarus Government Center, PO Box 1049, Columbus, Ohio 43216-1049 or call Mr. Paul Braun at (614) 644-3734. This rule is available on Ohio EPA's Web page for electronic downloading at: <http://www.epa.ohio.gov/dapc/regs/regs.aspx>.

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. The appeal must be accompanied by a filing fee of \$70.00 which the Commission, in its discretion, may reduce if by affidavit you demonstrate that payment of the full amount of the fee would cause extreme hardship. Ohio EPA also requests that a copy of the appeal be served upon the Environmental Enforcement Section of the Ohio Attorney General's Office.