

RULE SYNOPSIS

Draft rule language for Ohio Administrative Code (OAC) Rule 3745-20-01, "Definitions and incorporation by reference", Part of Ohio EPA's Asbestos Emission Control Program

The Ohio EPA Division of Air Pollution Control (DAPC) has completed draft rule language in OAC rule 3745-20-01 for a change in the definition of "Facility" and the removal of the definition of "Residential Exempt Structure."

A Summary of revisions for this rulemaking is as follows:

1. **Paragraph (B)(18), Definition of "Facility"**

In May, 2012, Ohio EPA adopted changes to the rules in OAC chapter 3745-20. The changes had been made as part of a review of the rules to fulfill the requirements of ORC 119.032 (5-year review).

As part of those changes, Ohio EPA changed the wording of paragraph (B)(18) to better reflect the federal interpretation of the term, however, subsequent review showed the new definition to be inconsistent with current developments regarding DAPC's granting relief to municipalities struggling with urban blight through federally and state funded demolition programs. Therefore, Ohio EPA is reverting the language of the definition back to its previous wording prior to the 2012 rulemaking.

2. **Paragraph (B)(45), Definition of "Residential Exempt Structure"**

With the removal of the language in paragraph (B)(18), the definition of "Residential Exempt Structure" has become unnecessary as it was only used as part of the definition for facility. Ohio EPA is, therefore, removing this definition from the rule.