



## Early Stakeholder Outreach — Infectious and Pathological Waste Incinerator 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 do OAC Chapters 3745-75 and 3745-105 cover?

Ohio Administrative Code (OAC) Chapters 3745-75 and 3745-105 contain the requirements for operating either an Infectious Waste Incinerator (OAC chapter 3745-75) or a Pathological Waste Incinerator (OAC chapter 3745-105) in the state of Ohio. Infectious and pathological wastes include items such as hospital wastes and animal wastes that were likely to have been in contact with infectious agents.

The requirements set forth in these rules include: emission limits; design parameters; operating restrictions; and monitoring and recordkeeping requirements.

### 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The first step in the rule-making process is for Ohio EPA to identify that a rule needs to be amended, rescinded, or created.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 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?

The rules in these chapters are undergoing a review to fulfill the requirements of ORC 119.032 (5-year review). Ohio EPA anticipates making minor changes at this time to update typos and formatting issues and to update information on the version and availability of referenced materials.

Ohio EPA also anticipates making changes to update the rules to comply with changes to the federal requirements for HMIWI incinerators published in the Federal Register on May 13, 2013 (78 FR 28052).

### How can I provide input?

The Agency is seeking stakeholder input on the rules in OAC chapters 3745-75 and 3745-105. 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 on **Monday, October 21, 2013**. Please submit input to:

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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/DAPCrules.aspx> or contact Mr. Braun (information provided above).

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### Who will be regulated by these rules?

These rules are applicable to any medical/infectious, hospital, or pathological waste incinerator except those listed as exempt in paragraph (C) of OAC rule 3745-75-01 or paragraph (C) of OAC rule 3745-105-01/

### 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).