



Early Stakeholder Outreach — SERC/RTK 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 Rules 3750-10-(01, 03, 05, 07, 09), 3750-20-(60, 70, 72, 74, 76, 78, 80, 82, 84), and 3750-75-(02-05, 07-10) cover?

These rules contain administrative requirements for the establishment of the State Emergency Response Commission (SERC), requirements for plan development and exercise by LEPCs, and the identification and use of lock boxes at facilities where hazardous and extremely hazardous substances are stored and used.

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The first step in the rule-making process is for Ohio EPA to identify that a rule needs to be amended, rescinded, or created.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

Ohio EPA in conjunction with the SERC has preliminarily reviewed these rules. Both Ohio EPA and the SERC feel that these rules remain necessary, but are not aware of any changes necessary to the specific rules mentioned above.

Who will be regulated by these rules?

These rules apply to the SERC itself and to facilities storing or using hazardous and extremely hazardous materials in their manufacturing processes. Definitions of these materials and/or facilities required to comply with these rules can be found on Ohio EPA's website at: <http://epa.ohio.gov/dapc/serc.aspx>.

How can I provide input?

The Agency is seeking stakeholder input on the various SERC/RTK 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 **Friday, October 11, 2013**.

Please submit input to:

Mr. Paul Braun

Ohio EPA Division of Air Pollution Control

50 W. Town St., Suite 700

PO Box 1049

Columbus, Ohio 43216-1049

(614)644-3134

Paul.braun@epa.state.oh.us

What if I have questions?

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

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What is the rulemaking schedule?

Ohio EPA plans to file these rules on behalf of the SERC to the Joint Committee on Agency Rule Review as “no-change” rules in accordance with the requirements of Ohio Revised Code 119.032 upon the completion of this stakeholder outreach unless any comments are received.

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).