

Application for variance by local emergency planning committee.

- (A) Any local emergency planning committee applying for a variance under division (B) of section 3750.11 of the Revised Code shall submit its application in writing to the emergency response commission. The local emergency planning committee shall include in its application:
- (1) A certified copy of the resolution, rule, or requirement which is the subject of the application for the variance;
 - (2) A signed statement from the local emergency planning committee stating the basis for requesting the variance; and
 - (3) Documents, sworn statements or other materials which support and address each criterion set forth in paragraphs (A) and (B) of rule 3750-80-02 of the Administrative Code.
- (B) On or before the date that the local emergency planning committee submits the variance application to the commission, the local emergency planning committee shall mail by certified mail, return receipt requested, notice of the application and a summary of the reporting requirement to the owner or operator of each facility within the emergency planning district that the local emergency planning committee determines would be subject to the reporting requirement.
- (C) At least seventy two hours prior to a meeting of the commission where the commission is to vote on an application for a variance, a copy of the proposed agenda shall be provided by the commission to the committee and to the facility that would be subject to the variance should it be granted. This proposed agenda shall provide the location, date, and time of the meeting.
- (D) Any application for a variance that fails to provide sufficient information for the emergency response commission to make the findings required by rule 3750-80-02 of the Administrative Code shall be considered incomplete. A local emergency planning committee that submits an incomplete application shall be notified in writing of the nature of the deficiencies. No action shall be taken on an incomplete application, until the deficiencies have been addressed.

R.C. 119.032 review dates: 01/13/2006 and 01/13/2011

CERTIFIED ELECTRONICALLY

Certification

01/13/2006

Date

Promulgated Under: 119.03
Statutory Authority: 3750.02(B)(2)(e)
Rule Amplifies: 3750.11(B) and (C)
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