

**BEFORE THE
OHIO ENVIRONMENTAL PROTECTION AGENCY**

**Public Notice
Proposed Rulemaking Governing
Solid Waste Financial Assurance**

Notice is hereby given that the Director of Environmental Protection, under the authority of Section 3734.02 of the Ohio Revised Code and in accordance with Chapter 119, proposes to Original File the following rule of the Ohio Administrative Code:

Rule Number	Rule Title	Action
3745-27-17	Wording of financial assurance instruments.	Amend

This rule addresses financial assurance for solid waste facilities and provides approved wording that may be used for the financial instruments.

The purpose of this rule making is to allow the wording specified in 3745-27-17 to satisfy the wording requirements set forth in 3745-503-20. Ohio EPA, Division of Materials and Waste Management filed and made the new composting and multi-program rules (OAC Chapters 3745-500, 3745-501, 3745-503, and 3745-560) effective on April 2, 2012. Since rule 3745-503-20 (wording of the financial assurance instruments) became effective, it is no longer possible to use one mechanism for a solid waste facility under Chapter 3745-27 and a composting facility under Chapter 3745-560 until changes to 3745-27-17 become effective.

The public comment period will run until December 18, 2012. A public hearing on this proposed rule making will be held to consider public comments in accordance with Section 119.03 of the Ohio Revised Code. This hearing will be held on December 18, 2012 at 10:30 a.m. in the 6th Floor Conference Center, Room C at Ohio EPA, Lazarus Government Center, 50 W. Town Street, Suite 700, Columbus, Ohio. To facilitate the scheduling of oral presentations, persons intending to give testimony at the hearing should notify the Ohio EPA Public Interest Center, P.O. Box 1049, Columbus, Ohio 43216-1049, (614) 644-2160.

Prior registration will ensure that registrants are heard ahead of those individuals who register at the hearing. Oral testimony may be limited to five minutes, depending on the number of persons testifying. All interested persons are entitled to attend or be represented and to present oral and/or written comments concerning the proposed rule making.

Written testimony should be sent to the attention of Michelle Braun at the Division of Materials and Waste Management, P.O. Box 1049, Columbus Ohio 43216-1049. Written comments may also be submitted to the Hearing Officer at the public hearing. Written testimony will receive the same consideration as oral testimony. All testimony received at the hearing or by close of business on December 18, 2012 will be considered by Ohio EPA prior to final action on this rulemaking proposal. Written comments submitted after this

date may be considered as time and circumstances permit.

Questions regarding this rule package should be directed to Fanny Haritos, at the Division of Materials and Waste Management, at (614) 728-5343.

To receive a copy of the proposed rules, please contact the DMWM receptionist at (614) 644-2621. In addition, full copies of all proposed rules are available for review at any Ohio EPA district office and at the Ohio EPA central office. The proposed rules are also accessible on DMWM web page at <http://epa.ohio.gov/dmwm/Home.aspx>.