

**BEFORE THE
OHIO ENVIRONMENTAL PROTECTION AGENCY**

**Public Notice
Proposed Rulemaking Governing
Labeling of plastic bottles and containers**

Notice is hereby given that the Director of Environmental Protection, under the authority of Section 3734.60 of the Ohio Revised Code and in accordance with Chapter 119, proposes to rescind the following rule of the Ohio Administrative Code:

3745-27-91 Labeling of plastic bottles and containers.

This rule addresses the regulations pertaining the labeling of plastic bottles and containers.

The purpose of this rule is to prescribe the label required on plastics manufactured and distributed in the state of Ohio. The label typically consists of an equilateral triangle formed by three curved arrows. In the center of the triangle is a code number, which identifies the type of plastic used to create the container. This requirement is also in ORC 3734.60. Given the duplicative statutory regulations, the Agency has made the determination that this regulation is no longer needed, and plans to rescind the rule.

The public comment period will run until September 9, 2014. 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 at on September 9, 2014 at 10:30 a.m. 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 (DMWM), 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 September 9, 2014 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 Michelle Braun at the Division of Materials and Waste Management at (614) 728-5372.

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 the DMWM web page at <http://www.epa.ohio.gov/dmwm/dmwmnonhazrules.aspx>.