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 does Ohio Administrative Code 3745-27-90 cover?
Ohio law requires Ohio EPA to prepare a state solid waste management plan (State Plan) to, among other things, reduce Ohio’s reliance on landfills for waste disposal and establish objectives for waste reduction, recycling, reuse, and minimization. OAC Rule 3745-27-90 establishes the basic requirements that solid waste management districts (SWMDs) must fulfill in their local solid waste management plans consistent with the goals of the State Plan, Ohio Revised Code Section 3734.53, and the format prescribed by the director of Ohio EPA that SWMDs use to prepare their solid waste management plans.

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The first step in the rule-making process is for Ohio EPA to identify that a rule needs to be amended, rescinded, or created.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 is considering changes to OAC Rule 3745-27-90 to be consistent with the current State Plan. The changes to OAC Rule 3745-27-90 include requirements for local solid waste management plans to incorporate goals established in the State Plan. The goals in the current State Plan are:

- Goal 1 – Infrastructure: The SWMD shall ensure that there is adequate infrastructure to give residents and commercial businesses opportunities to recycle solid waste.
- Goal 2 – Waste Reduction and Recycling Rates: The SWMD shall reduce and recycle at least 25 percent of the solid waste generated by the residential/commercial sector.
- Goal 3 – Outreach and Education, Minimum Required Programs: The SWMD shall provide the following required programs: a web site, a comprehensive resource guide, an inventory of available infrastructure, and a speaker or presenter.
- Goal 4 – Outreach and Education, Outreach Plan and General Requirements: The SWMD shall provide education, outreach, marketing, and technical assistance regarding reduction, recycling, composting, reuse, and other alternative waste management methods to identified target audiences using best practices.
- Goal 5 – Restricted Solid Wastes, Household Hazardous Waste (HHW), and Electronics: The SWMD shall provide

How can I provide input?
The Agency is seeking stakeholder input on the OAC Rule 2745-27-90, Standards or Solid Waste Management Districts. 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 October 8, 2018. Please submit input to:
Michelle Mountjoy
P.O. Box 1049
Columbus, OH 43216-1049
michelle.mountjoy@epa.ohio.gov

What if I have questions?
Please contact Ernie Stall at (614) 728-5356 or ernest.stall@epa.ohio.gov.
Early Stakeholder Outreach — Standards for Solid Waste Management Districts

strategies for managing scrap tires, yard waste, lead-acid batteries, HHW, and obsolete/end-of-life electronic devices.

- Goal 6 – Economic Incentives: The SWMD shall explore how to incorporate economic incentives into source reduction and recycling programs.
- Goal 7 – Measure Greenhouse Gas Reduction: The SWMD will use U.S. EPA’s Waste Reduction Model (WARM) (or an equivalent model) to evaluate the impact of recycling programs on reducing greenhouse gas emissions.
- Goal 8 - The SWMD shall incorporate a strategic initiative for the industrial sector into its solid waste management plan. This strategic initiative must consist of at least three technical assistance, education, outreach, services, or other activities from a list provided in the District Solid Waste Management Format issued by Ohio EPA.
- Goal 9 (optional) – The SWMD has the option of providing programs to develop markets for recyclable materials and the use of recycled-content materials.
- Goal 10 – Reporting: The SWMD shall report annually to Ohio EPA regarding implementation of the SWMD’s solid waste management plan.

Interested parties can access a fact sheet about the State Plan on Ohio EPA’s web site.

Who will be regulated by these rules?
Solid waste management districts are regulated by OAC Rule 3745-27-90.

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 program.

- Would this regulatory program have a positive impact on your business? Please explain how.
- If you feel that this rule has an adverse impact to business, as defined in section 107.52 of the Ohio Revised Code, please provide a summary of the estimated cost of compliance with the rules. Specifically, please identify the scope of the impacted business community; identify the nature of the adverse impact (for example, license fees, fines, employer time for compliance); and quantify, to the best of your ability, the expected adverse impact from the regulation. The adverse impact can be quantified in terms of dollars, hours to comply, or other factors.

What is the rulemaking schedule?
After the comment deadline and consideration of stakeholder input, Ohio EPA will prepare changes to OAC Rule 3745-27-90. The Agency’s next step is then to release a draft version of OAC Rule 3745-27-90 for interested party review and comment.

A complete summary of Ohio EPA’s rule-making process is available at http://epa.ohio.gov/Rules.aspx. Future steps will also include formally filing to amend OAC Rule 3745-27-90 with the Joint Committee on Agency Rule Review (JCARR). At that time, JCARR will include the proposed rule on their meeting agenda and take public testimony. Visit JCARR's website for meeting dates and agenda items at https://www.jcarr.state.oh.us/.

How can I track the program and rule-development progress?
Stakeholders are encouraged to sign up for the Agency's electronic mailing list which provides automatic updates about various topics. Registered users will receive progress updates and be notified when new information is posted on the program website (epa.ohio.gov/dmwm/dmwmnonhazrules.aspx). To sign up, go to ohioepa.custhelp.com/ci/documents/detail/2/subscriptionpage.

Contact
For more information, contact Ernie Stall at (614) 728-5356 or ernest.stall@epa.ohio.gov.