

**Notice: Availability of Draft Rules for Comment**  
**Amended Draft Rules in OAC Chapters 3750-1, 3750-15, 3750-25,**  
**3750-30, and 3750-50.**

Notice is hereby given that in accordance with Ohio Revised Code (ORC) 119.032 (5-year rule review), the Ohio Environmental Protection Agency, Division of Air Pollution Control (DAPC) has reviewed the following rules contained in Ohio Administrative Code (OAC): 3750-1-01, Definitions and Incorporation by Reference, 3750-1-02, Purpose, 3750-15-05, Public Notice of Proposed Rules, 3750-25-01, Facilities Subject to Emergency Release Notification Requirements, 3750-25-05, Designation of Hazardous Substances, 3750-25-10, Determination of Reportable Quantities for Hazardous Substances, 3750-25-15, Calculations for Reportable Quantities of Continuous Releases, 3750-30-01, Facilities Subject to Hazardous Chemical Reporting Requirements, 3750-30-20, Facility Emergency and Hazardous Chemical Inventory Form, 3750-50-03, Emergency Planning and Community Right-to-know Fund, 3750-50-05, Special Emergency Planning Fund, 3750-50-10, Grant Application for Emergency Planning and Community Right-to-know Funds, 3750-50-20, Emergency Planning and Community Right-to-know Reserve Fund.

These rules are related to the emergency planning and community right to know program under the administration of the State Emergency Response Commission (SERC). Our preliminary review indicates that these rules continue to be necessary and 2 of the rules are no change and 11 rules are amended in order to fix typo errors and upgrade rules to match agency and Legislative Services Commission (LSC) format standards.

In addition, OAC 3750-1-01 is being amended to update the rule with CFR reference standard dates and web addresses.

OAC 3750-30-01 shall be amended to change language in (E) to align the reporting for oil and gas facilities regulated under 1509 of the Revised Code to report to the electronic database created and hosted at ODNR that shall satisfy reporting under Chapter 3750 of the Revised Code.

OAC 3750-30-20 shall be amended to incorporate federal OSHA changes to hazard categories from five to two. The categories shall be expanded upon in OAC 3750-30-25.

As part of the rulemaking process, DAPC is required by Section 121.39 of the Ohio Revised Code to consult with organizations that represent political subdivisions, environmental interests, business interests, and others affected by the rules. The DAPC is offering your organization the opportunity to comment on these rules before the Division formally proposes them.

Copies of these rules and associated documents are available electronically for review at:  
<http://epa.ohio.gov/dapc/regs/regs.aspx>.

We request that you provide us with any comments you may have to the changes that have been recommended by **Tuesday, May 23, 2017**.

Please submit your comments or suggestions to the following addresses. Persons submitting

comments electronically are encouraged to follow-up with a hard copy via regular mail:

E-mail: [Jeffrey.Beattie@epa.ohio.gov](mailto:Jeffrey.Beattie@epa.ohio.gov)

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Thank you,

Robert Hodanbosi, Chief  
Division of Air Pollution Control  
Ohio Environmental Protection Agency

## **RULE SYNOPSIS**

### **State Emergency Response Commission**

Draft rule language for Ohio Administrative Code OAC Rules: 3750-1-01, 3750-1-02, 3750-15-05, 3750-25-01, 3750-25-05, 3750-25-10, 3750-25-15, 3750-30-01, 3750-30-20, 3750-50-03, 3750-50-05, 3750-50-10, and 3750-50-20.

On behalf of the State Emergency Response Commission (SERC), Ohio Environmental Protection Agency has reviewed OAC Chapter 3750 pursuant to Ohio law (Ohio Revised Code Section 119.032) which requires all agencies review existing rules every five years to determine if the rules should be eliminated or amended, or to remain “as-is.” If the agency determines the rules should not be amended, the rules are filed with the legislative “Joint Committee On Agency Rule Review” (JCARR) as “no-change” rules. This literally means there are no changes to the existing rule.

Ohio EPA has amended OAC Rule 3750-1-01, “Definitions and Incorporation by Reference” to update the Code of Federal Regulations (CFR) date reference standards for OAC 3750-1-01(YY)(2)(x) & (y).

Ohio EPA has amended OAC 3750-30-01, “Facilities subject to hazardous chemical reporting requirements” to change language in (E) to align the reporting for oil and gas facilities regulated under 1509 of the Revised Code to report to the electronic database created and hosted at ODNR that shall satisfy reporting under Chapter 3750 of the Revised Code.

OAC 3750-30-20 shall be amended to incorporate federal OSHA changes to hazard categories from five to two. The categories shall be expanded upon in OAC 3750-30-25.

OAC Rules 3750-15-05, Public Notice of Proposed Rules, 3750-25-01, Facilities Subject to Emergency Release Notification Requirements, 3750-25-05, Designation of Hazardous Substances, 3750-25-10, Determination of Reportable Quantities for Hazardous Substances, 3750-25-15, Calculations for Reportable Quantities of Continuous Releases, 3750-30-01, Facilities Subject to Hazardous Chemical Reporting Requirements, 3750-50-03, Emergency Planning and Community Right-to-know Fund, 3750-50-10, Grant Application for Emergency Planning and Community Right-to-know Funds, 3750-50-20, Emergency Planning and Community Right-to-know Reserve Fund are being amended to fix typo errors and update rules to match agency and Legislative Services Commission (LSC) format standards.

Ohio EPA recommends no change to OAC Rules: 3750-1-02, Purpose, and 3750-50-05, Special Emergency Planning Fund.