



Early Stakeholder Outreach – Permit-by-Rule

Ohio Administrative Code (OAC) Rule 3745-31-03

What rulemaking is Ohio EPA considering?

Ohio EPA is considering amendments to Ohio Administrative Code (OAC) rule 3745-31-03, "Exemptions and Permits-by-rule."

Why is the rule being reviewed; what types of changes are being considered?

Ohio EPA is considering adding an additional permit-by-rule for flowback operations at oil and natural gas well sites. Prior to generating our rule language, Ohio EPA would like to receive comments on this and any other changes from potentially affected parties.

Why is this rulemaking 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The first step in the rule-making process is for Ohio EPA to identify that a rule needs to be amended, rescinded, or created.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 provides opportunity for early input before the rule language has been developed by the Agency.

Who will be regulated by this rulemaking?

A permit-by-rule is an alternative to the full permitting process for qualifying facilities. Facilities affected by this rule would be facilities required to obtain a permit-to-install or a permit-to-install and operate who meet the qualifying criteria for the permits-by-rule.

What is the rulemaking schedule?

The Agency is planning to release a draft version of the rule for interested party review and comment by mid-2013.

What additional information is the Agency seeking?

The Agency wants to hear from interested stakeholders who may be impacted by this rulemaking. **General comments and specific factual information are welcome.** Ohio EPA is specifically asking for stakeholders to identify the following:

- Does this rulemaking impact your business?
- Does this rulemaking have an adverse impact on your business? If so, please identify the nature of the adverse impact (e.g., license fees, fines, employer time for compliance).
- Is there an alternative rulemaking (or specific provisions within the rule) that the Agency should consider?
- What are the benefits of the rulemaking? #

What should I consider as I prepare my comments?

You may find the following suggestions helpful for preparing your comments:

1. Explain your views as clearly as possible.
2. Describe any assumptions that you used.
3. Provide any technical information and/or data you used that support your views.
4. If you estimate potential burden or costs, explain how you arrived at your estimate.

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5. Provide specific examples to illustrate your concerns.
6. Offer alternatives.
7. Make sure to submit your comments by the comment period deadline.

How can I provide input on the rulemaking?

Please submit your comments in one of the following ways:

By email: Mike.Hopkins@epa.state.oh.us with the subject line "2013 PBR rule revisions"

By fax: (614) 644-3611

By postal mail: Rule Coordinator, Ohio EPA, Division of Air Pollution Control, P.O. Box 1049, Columbus, OH 43216-1049

Comments on the rule must be received no later than 5:00 p.m. on Monday, March 18, 2013.

How can I get more information?

For more information on Division of Air Pollution Control (DAPC) rules, please visit our website at: <http://epa.ohio.gov/dapc/DAPCrules.aspx>. View the tab labeled "Early Stakeholder Outreach."