



Early Stakeholder Outreach — Various Chapters in OAC 3750 – State Emergency Response Commission (SERC) Program Rules

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 do these rules cover?

The rules in this rulemaking contain various portions of the state emergency response commission (SERC) including the following:

- OAC Rules 3750-15-(01, 02, 05, 10) – The rules in this chapter contain the procedural requirements for the SERC.
- 3750-25-(12, 13, 20) – These rules contain requirements for emergency release notifications
- 3750-30-(15, 25, 27) – These rules contain requirements for hazardous chemical reporting
- 3750-50-(01, 07, 08, 09, 15, 25) – These rules contain requirements for the collection of feed, funding of program, and issuance of grants associated with the SERC program
- 3750-80-(01, 02, 03) – These rules contain the requirements for issuing variances to local emergency planning commissions (LEPCs)
- 3750-85-(01, 02, 03) – These rules contain the requirements for issuing variances to political subdivisions

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The first step in the rule-making process is for Ohio EPA to identify that a rule needs to be amended, rescinded, or created.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 the Governor's Executive Order (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?

On behalf of the director of the emergency response commission, Ohio EPA will be performing a general review of the rules in these chapter to fulfill the requirements of ORC 119.032 (5-year review). Ohio EPA is not aware, at this time, of any major changes necessary to these rules.

Who will be regulated by these rules?

The rules in these chapters are applicable to the administrative processes of the SERC, facilities subject to OAC rule 3750-30-01, LEPC's and local political subdivisions.

How can I provide input?

The Agency is seeking stakeholder input on the above mentioned rules. 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 **Tuesday, February 3, 2015**. Please submit input to:

Mr. Paul Braun
Ohio EPA Division of Air Pollution Control
PO Box 1049
Columbus, Ohio 43216-1049
(614)644-3134
Paul.braun@epa.ohio.gov

What if I have questions?

These rules can be found on Ohio EPA's website for electronic downloading at: <http://epa.ohio.gov/dapc/serc.aspx#122453394-rules> or contact Mr. Braun (information provided above).

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What is the rulemaking schedule?

Upon completion of the Early Stakeholder Outreach portion of this rulemaking, Ohio EPA will make any changes necessary to the rule language and make a draft of the rule language available to the public for a 30-day review.

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 new program.

- Would this regulatory program have a positive impact on your business? Please explain how.
- Would this regulatory program have an adverse impact on your business? If so, please identify the nature of the adverse impact (for example, license fees, fines, employer time for compliance).