

**BEFORE THE
OHIO ENVIRONMENTAL PROTECTION AGENCY**

**Public Hearing Notice
Proposed Rulemaking Governing
State Emergency Response Commission**

Notice is hereby given that the Director of Environmental Protection, under the authority of Chapter 3750 of the Ohio Revised Code and in accordance with Chapter 119 the state emergency response commission (SERC) will be proposing multiple rules of the Ohio Administrative Code Chapter 3750 to the Joint Committee on Agency Rule Review (JCARR). The SERC has reviewed the following rules in accordance with the requirements of ORC 106.03 (5-year review):

Rule #:	Title:	Action:
3750-1-01	Definitions and incorporation by reference.	Amend
3750-1-02	Purpose.	Amend
3750-10-01	Establishment of state emergency response commission, executive committee and committees.	Amend
3750-10-03	General management rules.	Amend
3750-10-05	Internal operating rules.	Amend
3750-10-07	Executive committee: issuance of orders: persons who may request enforcement order procedure.	Amend
3750-10-08	Issuance of orders to facilities.	Amend
3750-15-01	Applicability.	Amend
3750-15-05	Public notice of proposed rules.	Amend
3750-15-10	Severability.	Amend
3750-20-10	Calculation of quantities for comparison with threshold planning quantities for solids and mixtures.*	Amend
3750-20-30	List of extremely hazardous substances and their threshold planning quantities.*	Amend
3750-20-50	List of hazardous substances and their applicable reportable quantities.*	Amend
3750-20-60	Addition of hazardous chemicals, extremely hazardous substances and hazardous substances.	Amend
3750-20-70	Exercise definitions.	Amend
3750-20-72	Chemical emergency response plans.	Amend
3750-20-74	Review of plans.	Amend
3750-20-76	Types of exercises.	Amend
3750-20-78	Execution of exercises.	Amend
3750-20-80	Review of exercises.	Amend
3750-20-84	Public review of plan exercises.	Amend
3750-25-01	Facilities subject to emergency release notification requirements.	Amend
3750-25-05	Designation of hazardous substances.	Amend
3750-25-10	Determination of reportable quantities for hazardous substance.	Amend
3750-25-12	Determining notification requirements of mixtures or solutions.	Amend
3750-25-13	Release notification requirements for radionuclides and solid particles.	Amend
3750-25-15	Calculations for reportable quantities of continuous releases.	Amend
3750-25-20	Reportable quantities for oil including crude oil.	Amend
3750-25-25	Release notification requirements.	Amend
3750-30-01	Facilities subject to hazardous chemical reporting requirements.	Amend
3750-30-15	List or safety data sheets reporting requirements for subject facilities.	Amend

3750-30-20	Facility emergency and hazardous chemical inventory form.	Amend
3750-30-25	Identification of hazardous chemicals.	Amend
3750-30-27	Threshold quantities for hazardous chemical reporting.	Amend
3750-50-01	Annual inventory filing fees and form.	Amend
3750-50-03	Emergency planning and community right-to-know fund.	Amend
3750-50-07	First-time filer grant awards.	Amend
3750-50-08	Committees responsibilities for first-time filer grant application.	Amend
3750-50-09	Commission responsibilities for first-time filer grant awards.	Amend
3750-50-10	Grant application for emergency planning and community right-to-know funds.	Amend
3750-50-15	Reimbursement for costs incurred under Chapter 3750. of the Revised Code.	Amend
3750-50-20	Emergency planning and community right-to-know reserve fund.	Amend
3750-50-25	Grant application for funds in the emergency planning and community right-to-know reserve fund.	Amend
3750-60-05	Assertions of claims of trade secrecy where claim is pending before the administrator. *	Amend
3750-60-10	Methods of selecting a generic class or category.*	Amend
3750-60-23	Substantiation form to accompany claims of trade secrecy, instructions to complete substantiation form.*	Amend
3750-60-93	Disclosure of trade secret information.*	Amend
3750-75-02	Facilities subject to the emergency response lock box unit requirements.	Amend
3750-75-03	Criteria for the construction of an emergency response lockbox unit.	Amend
3750-75-04	Emergency response lock box unit contents and maintenance.	Amend
3750-75-07	Application for issuance of a lock box order by a fire department.	Amend
3750-75-08	Application for issuance of lock box order by a local emergency planning committee.	Amend
3750-75-09	Decision by emergency response commission regarding a lock box application from a local emergency planning committee.	Amend
3750-75-10	Criteria for issuing an order requiring the placement of a lock box upon request by a political subdivision.	Amend
3750-80-01	Application for variance by local emergency planning committee.	Amend
3750-80-02	Criteria for granting a variance to a local emergency planning committee.	Amend
3750-80-03	Decision by emergency response commission.	Amend
3750-85-01	Application for variance by political subdivision.	Amend
3750-85-02	Criteria for granting a variance to a political subdivision.	Amend
3750-85-03	Decision by local emergency planning committee.	Amend
3750-90-01	Applying for access to information.	Amend

The following rules are only being amended to correct the statutory authority, no changes are being made to the actual rule language:

3750-60-01	Definitions.	Amend
3750-60-03	Scope.	Amend
3750-60-07	Assertion of claims for trade secrecy for the specific chemical identity of those additional chemicals listed or identified by the commission.	Amend
3750-60-09	Methods of asserting trade secrecy claims.	Amend
3750-60-25	Claims of confidentiality in the substantiation.	Amend
3750-60-27	Supplemental information.	Amend
3750-60-30	Initial action by the commission.	Amend
3750-60-40	Review of trade secrecy claim.	Amend
3750-60-43	Additional material submitted for good cause.	Amend
3750-60-50	Sufficiency of assertions.	Amend
3750-60-52	Standards for sufficiency of substantiation of a trade secret claim.	Amend

3750-60-60	Public petitions requesting disclosure of chemical identity claimed as trade secret.	Amend
3750-60-80	Orders issued by the commission.	Amend
3750-60-83	Appeal from commission's determination of the sufficiency of trade secrecy claim.	Amend
3750-60-85	Appeal from commission's determination the validity of trade secrecy claim.	Amend
3750-60-90	Release of chemical identity determined to be a non-trade secret; notice of intent to release chemical identity.	Amend
3750-60-94	Adverse health effects.	Amend
3750-60-95	Address to send trade secret claims and petitions requesting disclosure.	Amend

Then the following rules are being filed as no-change:

Rule #:	Title:	Action:
3750-10-09	Public testimony.	No change
3750-15-02	Construction of rules.	No change
3750-20-82	Issuance of exercise order by commission.	No change
3750-50-05	Special emergency planning fund.	No change
3750-75-05	Conditions for the placement of and access to an emergency lock box unit.	No change

The public comment period will run until February 17, 2026. A public hearing on this proposed rulemaking will be held to consider public comments in accordance with Section 106.03 and 106.31 of the Ohio Revised Code. Ohio EPA will be holding an in-person and virtual public hearing on the rules on February 17, 2026, at 10:30am. The in-person hearing will be at the same time and date and will be located at Ohio EPA, Suite 700, 50 W. Town Street, Columbus, Ohio 43215. During the hearing, the public may submit written comments on the record about the proposed rules if participating virtually and verbally if participating in person.

Citizens who want to participate virtually must register in advance for the meeting at: <https://attendee.gotowebinar.com/register/4108614821298310240>

Registration for the in-person hearing is not required. Citizens 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 or by emailing mary.mccarron@epa.ohio.gov. 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 rulemaking.

Written testimony should be submitted in the SmartComment system at: <https://ohioepa.commentinput.com?id=CNA7DUcHe> or sent to the attention of Mandi Payton at the Office of Legal Services, P.O. Box 1049, Columbus Ohio 43216-1049 or can be emailed to Amanda.Payton@epa.ohio.gov. 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 February 17, 2026, 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.

To receive a copy of the proposed rules, please contact Mandi Payton at (614) 644-3134. 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 SERC web page at <https://epa.ohio.gov/divisions-and-offices/air-pollution-control/state-emergency-response-commission/serc-rules>.

To request a reasonable accommodation due to a disability, visit <https://epa.ohio.gov/ada>.