

## Rule Summary and Fiscal Analysis

### Part A - General Questions

**Rule Number:** 3737-1-06

**Rule Type:** No Change

**Rule Title/Tagline:** The deductible and the reduced deductible.

**Agency Name:** Petroleum Underground Storage Tank Release Compensation Board

**Division:**

**Address:** 4151 Executive Parkway Suite 350 Westerville OH 43081

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#### I. Rule Summary

1. **Is this a five year rule review?** Yes
  - A. **What is the rule's five year review date?** 11/29/2019 and 07/31/2024
2. **Is this rule the result of recent legislation?** No
3. **What statute is this rule being promulgated under?** 119.03
4. **What statute(s) grant rule writing authority?** 3737.90
5. **What statute(s) does the rule implement or amplify?** 3737.91
6. **What are the reasons for proposing the rule?**

This rule is being filed in accordance with the five-year rule review requirements of section 106.03 of the Revised Code.

7. **Summarize the rule's content, and if this is an amended rule, also summarize the rule's changes.**

This rule describes the standard and reduced deductible amounts of Fund coverage. It establishes the qualification for a responsible person to obtain coverage at the reduced deductible, and it sets the additional per-tank fee amount for obtaining Fund coverage with a reduced deductible.

8. Does the rule incorporate material by reference? No
9. If the rule incorporates material by reference and the agency claims the material is exempt pursuant to R.C. 121.71 to 121.76, please explain the basis for the exemption and how an individual can find the referenced material.

*Not Applicable*

10. If revising or re-filing the rule, please indicate the changes made in the revised or re-filed version of the rule.

*Not Applicable*

## **II. Fiscal Analysis**

11. As a result of this proposed rule, please estimate the increase / decrease in revenues or expenditures affecting this agency, or the state generally, in the current biennium or future years. If the proposed rule is likely to have a different fiscal effect in future years, please describe the expected difference and operation.

This will have no impact on revenues or expenditures.

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Not Applicable.

12. What are the estimated costs of compliance for all persons and/or organizations directly affected by the rule?

Not Applicable.

13. Does the rule increase local government costs? (If yes, you must complete an RSFA Part B). No
14. Does the rule regulate environmental protection? (If yes, you must complete an RSFA Part C). No

## **III. Common Sense Initiative (CSI) Questions**

15. Was this rule filed with the Common Sense Initiative Office? Yes
16. Does this rule have an adverse impact on business? Yes

- A. **Does this rule require a license, permit, or any other prior authorization to engage in or operate a line of business?** No
  
- B. **Does this rule impose a criminal penalty, a civil penalty, or another sanction, or create a cause of action, for failure to comply with its terms?** No
  
- C. **Does this rule require specific expenditures or the report of information as a condition of compliance?** Yes

The deductible and reduced deductible amounts are set forth in the rule. No reimbursement from the Fund for the costs of corrective action or compensation to third parties for bodily injury or property damage can occur until the responsible person has incurred costs that exceed the applicable deductible. In addition, eligible responsible persons that choose to obtain a reduced deductible will incur an additional annual per-tank fee. Pursuant to paragraph (B) of the rule, only responsible persons owning, or owning or operating, a total of six or fewer underground storage tanks may purchase the reduced deductible.