



MEMORANDUM

TO: Jonathan Maneval, Administrative Coordinator, Ohio Petroleum Underground Storage Tank Release Compensation Board

FROM: Sophia Papadimos, Regulatory Policy Assistant

DATE: February 6, 2015

RE: **CSI Review – Chapter 3737 External Cross-Reference Rule Corrections (OAC 3737-1-04.1, 3737-01-07, 3737-1-19)**

On behalf of Lt. Governor Mary Taylor, and pursuant to the authority granted to the Common Sense Initiative (CSI) Office under Ohio Revised Code (ORC) section 107.54, the CSI Office has reviewed the abovementioned administrative rule package and associated Business Impact Analysis (BIA). This memo represents the CSI Office's comments to the Agency as provided for in ORC 107.54.

Analysis

This rule package consists of three amended rules proposed by the Petroleum Underground Storage Tank Release Compensation Board (Board). The rule package was submitted to the CSI Office on January 16, 2015 and the public comment period was held open through January 29, 2015. No comments were received during this time.

In the case of a petroleum release, the existing rules outline the conditions that must be met in order for the tank owner to be eligible for reimbursements for the costs of corrective action. The rules also explain the process for coverage reinstatement if a person has failed to be covered for the past two years. Finally, the rules outline the necessary prerequisites to determine fund payment or reimbursement for compensation paid for third-party claims for bodily injury or property damages caused by the accidental release of petroleum. The draft rules are being amended for clarification purposes and to update cross-references. No substantive amendments are being made.

While adverse impacts to business exist in these rules, the amendments to the rules do not create additional impacts and therefore, are not being reviewed for the purpose of this recommendation. No comments were received opposing this rule package. After reviewing the proposed amendments and the associated BIA, the CSI Office has determined that the purpose of the rules is justified.

Recommendation

For the reasons explained above, this office does not have any recommendations regarding this rule package.

Conclusion

Based on the above comments, the CSI Office concludes that the Petroleum Underground Storage Tank Release Compensation Board should proceed with the formal filing of this rule package with the Joint Committee on Agency Rule Review.

cc: Mark Hamlin, Lt. Governor's Office