



Ohio Administrative Code

Rule 3750-80-01 Application for variance by local emergency planning committee.

Effective: April 1, 2026

- (A) Any local emergency planning committee applying for a variance under division (B) of section 3750.11 of the Revised Code shall submit an application in writing to the emergency response commission. The shall include the following in the application:
- (1) A certified copy of the resolution, rule, or requirement which is the subject of the application for the variance.
 - (2) A signed statement from the committee stating the basis for requesting the variance.
 - (3) Documents, sworn statements or other materials which support and address each criterion set forth in paragraphs (A) and (B) of rule 3750-80-02 of the Administrative Code.
- (B) On or before the date that the committee submits the variance application to the commission, the committee shall mail by certified mail, return receipt requested, or any other form of mail accompanied by a receipt, notice of the application and a summary of the reporting requirement to the owner or operator of each facility within the emergency planning district that the committee determines would be subject to the reporting requirement.
- (C) At least seventy two hours prior to a meeting of the commission where the commission is to vote on an application for a variance, a copy of the proposed agenda shall be provided by the commission to the committee and to the facility that would be subject to the variance. This proposed agenda shall provide the location, date, and time of the meeting.
- (D) Any application for a variance that fails to provide sufficient information for the commission to make the findings required by rule 3750-80-02 of the Administrative Code shall be considered incomplete. A committee that submits an incomplete application shall be notified in writing of the nature of the deficiencies. No action shall be taken on an incomplete application, until the deficiencies have been addressed.