

Public Hearing Notice

Ohio Environmental Protection Agency Proposed amendment of Chapters 3745-21, 3745-72, and 3745-110 of the Ohio Administrative Code (OAC)

Notice is hereby given that the Ohio Environmental Protection Agency, Division of Air Pollution Control (DAPC) is proposing new and amended rules in Chapters 3745-21, 3745-72, and 3745-110 of the Ohio Administrative Code (OAC) to the Joint Committee on Agency Rule Review (JCARR). These rules are related to the control of volatile organic compound (VOC) emissions from stationary sources, low Reid vapor pressure (RVP) fuel requirements, and nitrogen oxides (NOx) reasonably available control technology (RACT). The changes in the rule package include:

- a) The modification of the following existing OAC rules: 3745-21-01, 3745-21-09, 3745-21-21, 3745-21-23, 3745-21-24, 3745-72-02, 3745-72-05, 3745-72-06, 3745-110-01, and 3745-110-03; and
- b) The incorporation of the following new OAC rules: 3745-21-26, 3745-21-27, 3745-21-28, and 3745-21-29.

The new rules are based on the control technique guidelines (CTG) issued by U.S. EPA in 2008. The CTG-based rules are intended to address federal requirements, and along with the other rules in this submittal, assist in maintaining the ozone National Ambient Air Quality Standard. The proposed new rules under this Chapter will apply to eight counties located in the Cleveland/Akron, Ohio metropolitan area (i.e., Ashtabula, Cuyahoga, Geauga, Lake, Lorain, Medina, Portage, and Summit County) that were previously designated "moderate" nonattainment for the ozone standard.

Pursuant to Section 121.39 of the Ohio Revised Code, DAPC was required to consult with interested parties affected by the rules before the Division formally adopts them. On December 9, 2009 this rule went out for a 30-day review by interested parties. Comments were received and Ohio EPA's responses to these comments can be found in the Responsive Summary to Comments available on the internet at the URL listed at the end of this notice.

Pursuant to Section 119.03 of the Ohio Revised Code, a public hearing on this rule change will be conducted on Friday, February 11, 2011 at 10:30 am, in Conference Room 6A at Ohio EPA, Lazarus Government Center, 50 W. Town Street, Suite 700, Columbus, Ohio. All visitors to Ohio EPA must register at the Security desk in the lobby upon arrival. Please bring photo identification (such as a valid driver's license). For security reasons, visitor's are required to wear their badge at all times while in the building. Please arrive early to complete these procedures.

Pursuant to Part D of Title I of the Clean Air Act, Ohio EPA is required to establish a state implementation plan (SIP) for the attainment and maintenance of the National Ambient Air Quality Standards. The above-mentioned rules are a part of Ohio's SIP and the proposed amendments will be submitted to USEPA as a modification of the SIP. The above-mentioned hearing shall be considered the public hearing for the SIP submittal.

All interested persons are entitled to attend or be represented at the hearing and give written or oral comments on these rule changes. All oral comments presented at the hearing, and all written statements submitted at the hearing or by the close of business on February 11, 2011, will be considered by Ohio EPA prior to final action on this rule. Written statements submitted after February 11, 2011 may be considered as time and circumstances permit, but will not be part of the official record of the hearing.

These rules are available on Ohio EPA's regulations web page for electronic downloading. The URL is: <http://epa.ohio.gov/dapc/regs/regs.aspx>. Questions regarding accessing the web site should be directed to Arunee Niamlarb at 614-728-1342; other questions or comments about these rules should be directed to Alan Harness at Ohio EPA, (614) 644-4838, alan.hararness@epa.state.oh.us, or mailed to Alan Harness, Ohio EPA, Division Air Pollution Control, Lazarus Government Center, P.O. Box 1049, Columbus, Ohio 43216-1049.