

**NOTICE OF ADOPTION OF RULES
OHIO ENVIRONMENTAL PROTECTION AGENCY**

**Rules Governing
Ohio Administrative Code (OAC) Chapter 3745-103
Acid Rain Program**

Notice is hereby given that the Director of the Ohio Environmental Protection Agency (Ohio EPA) has amended the following rules of the Ohio Administrative Code:

Rule Number	Rule Title
3745-103-01	Definitions
3745-103-02	Applicability
3745-103-03	New units exemption
3745-103-04	Retired units exemption
3745-103-05	Standard requirements
3745-103-06	Designated representative
3745-103-07	Acid rain permit applications
3745-103-08	Permit application shield and binding effect of permit application
3745-103-09	Acid rain compliance plan and compliance options
3745-103-12	Permit shield
3745-103-13	Issuance of acid rain permits
3745-103-14	Acid rain permit appeal procedures
3745-103-15	Permit revisions
3745-103-17	Fast-track modifications
3745-103-18	Administrative permit
3745-103-19	Automatic permit
3745-103-20	Permit reopenings
3745-103-21	Units with repowering extension plans
3745-103-22	Opt-in purpose and scope
3745-103-24	Opt-in relationship to the acid rain program requirements
3745-103-26	Roles – USEPA and director
3745-103-27	Opt-in permit contents
3745-103-28	Opt-in permit process
3745-103-31	Opt-in withdrawal
3745-103-32	Revision and renewal of opt-in permit
3745-103-33	Opt-in data for baseline and alternative baseline
3745-103-34	Actual SO ₂ emissions rate
3745-103-35	1985 allowable SO ₂ emissions rate
3745-103-36	Current allowable SO ₂ emissions rate
3745-103-37	Current promulgated SO ₂ emissions limit
3745-103-39	Allowance allocation for combustion sources becoming opt-in sources on a date other than January first
3745-103-42	Identifying allowances
3745-103-43	Prohibition on future year transfers
3745-103-44	Annual compliance certification report

3745-103-45	Reduced utilization for combustion sources
3745-103-47	Opt-in source permanent shutdown, reconstruction, or change in affected status
3745-103-48	Transfer of allowances from the replacement of thermal energy; combustion sources
3745-103-50	Calculation for deducting allowances
3745-103-51	Deducting opt-in source allowances from allowance tracking system accounts
3745-103-52	Monitoring requirements
3745-103-53	Monitoring plan
3745-103-55	NOx applicability
3745-103-57	NOx emission limitations for group one phase I boilers
3745-103-58	NOx emission limitations for group two boilers
3745-103-59	NOx emission limitations for group one, phase II boilers
3745-103-60	Early election for group one, phase II boilers
3745-103-61	Permit application and compliance plans
3745-103-62	Alternative emission limitations
3745-103-63	Emissions averaging
3745-103-65	Monitoring, recordkeeping, and reporting
3745-103-66	Test methods and procedures

The Director's order of adoption was issued on November 19, 2025. These adopted rules will become effective on December 5, 2025.

The Director's action in this matter is pursuant to the procedural requirements of Ohio Revised Code Chapter 119 and is based upon the record of the public hearing conducted by Ohio EPA on October 14, 2025, and comments received during the public comment period.

You are hereby notified that this action of the Director is final and may be appealed to the Environmental Review Appeals Commission pursuant to Section 3745.04 of the Ohio Revised Code. The appeal must be in writing and set forth the action complained of and the grounds upon which the appeal is based. The appeal must be filed with the Commission within thirty (30) days after notice of the Director's action. The appeal must be accompanied by a filing fee of \$70.00, made payable to "Treasurer, State of Ohio," which the Commission, in its discretion, may reduce if by affidavit you demonstrate that payment of the full amount of the fee would cause extreme hardship. Notice of the filing of the appeal shall be filed with the Director within three (3) days of filing with the Commission. Ohio EPA requests that a copy of the appeal be served upon the Ohio Attorney General's Office, Environmental Enforcement Section. An appeal may be filed with the Environmental Review Appeals Commission at the following address:

Environmental Review Appeals Commission
30 East Broad Street, 4th floor
Columbus, Ohio 43215