

Public Hearing
Ohio Environmental Protection Agency
Revisions to Rules in Ohio Administrative Code (OAC) Chapter 3745-14 (Phase 2)
Nitrogen Oxide (NOx) Budget Program Rules

Notice is hereby given that the Ohio Environmental Protection Agency, Division of Air Pollution Control (DAPC) has prepared amendments to Ohio Administrative Code (OAC) rules 3745-14-01, 3745-14-04, and 3745-14-08. This is the second in two phases of rulemaking to revise OAC Chapter 3745-14. In the first phase, revisions to OAC Chapter 3745-14 were made to demonstrate continued compliance by large non-Electric Generating Units (non-EGUs) with the NOx State Implementation Plan (SIP) Call following U.S. EPA's discontinuation of compliance trading options. During the comment period for the Phase 1 rulemaking, Ohio EPA received comments requesting an alternative to continuous monitoring and reporting of emissions under 40 CFR Part 75 (commonly referred to as Part 75 monitoring and reporting). In this second phase of the rulemaking, provisions are being added for an alternative to the existing Part 75 monitoring and reporting requirements.

DAPC also performed a review of these rules to fulfill the requirements of Ohio Revised Code (ORC) 106.03. Upon review, DAPC determined that the rules were necessary and made minor changes to fix typos and formatting errors in addition to the changes discussed above.

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 January 5, 2018 these rules went out for a 30-day review by interested parties. Ohio EPA's responses to comments received is available electronically on Ohio EPA's website at the URL listed below.

Pursuant to Part D of Title I of the Clean Air Act (CAA), Ohio EPA is required to establish a SIP for the attainment and maintenance of the National Ambient Air Quality Standards (NAAQS). 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. This SIP action requires a demonstration pursuant to CAA section 110(l) that the action will not interfere with attainment of the NAAQS, reasonable further progress toward attainment, or any other applicable requirement of the Clean Air Act. Ohio EPA's draft 110(l) demonstration is also being made available for comment.

Pursuant to Section 106.03 and 106.031 of the Ohio Revised Code, a public hearing on these rule changes and SIP revision will be conducted on **Tuesday, July 16, 2019 at 10:30 AM** 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, visitors are required to wear their badge at all times while in the building. Please arrive early to complete these procedures.

All interested persons are entitled to attend or be represented at the hearing and give written or oral comments on these rule changes and SIP revision. All oral comments presented at the hearing, and all written statements submitted at the hearing or by the close of business on July 16, 2019 will be considered by Ohio EPA prior to final action on this rule. Written statements submitted after July 16, 2019 may be considered as time and circumstances permit, but will not be part of the official record of the hearing.

These rules and associated documents are available on DAPC's Web page for electronic downloading. The URL is: <http://epa.ohio.gov/dapc/DAPCrules.aspx>. Please see the information under the "proposed rules"

tab. Questions regarding accessing the web site should be directed to Paul Braun at 614-644-3734; other questions or comments about these rules should be directed to Holly Kaloz at Ohio EPA, (614) 644-3632, holly.kaloz@epa.ohio.gov, or mailed to Holly Kaloz, Ohio EPA, Division Air Pollution Control, Lazarus Government Center, P.O. Box 1049, Columbus, Ohio 43216-1049.