

**NOTICE OF ADOPTION OF RULES  
OHIO ENVIRONMENTAL PROTECTION AGENCY  
OHIO ADMINISTRATIVE CODE (OAC) CHAPTER 3745-14  
“NOX BUDGET TRADING PROGRAM” (PHASE 2)**

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

<u>Rule #</u>	<u>Title</u>	<u>Type of Filing</u>
3745-14-01	Definitions and General Provisions	Amend
3745-14-04	Compliance Certification	Amend
3745-14-08	Monitoring and Reporting	Amend

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 were added for an alternative to the existing Part 75 monitoring and reporting requirements.

The Director's order of adoption was issued on Monday, August 12, 2019. These amended rules will become effective on Thursday, August 22, 2019.

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 July 16, 2019, 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 St., 4<sup>th</sup> Floor  
Columbus, Ohio 43215