

Public Hearing Notice
Ohio Environmental Protection Agency
Ohio Administrative Code (OAC) Chapter 3745-112, "Consumer Products"
Updates and Five-Year Rule Review

Notice is hereby given that the Ohio Environmental Protection Agency, Division of Air Pollution Control (DAPC) is planning to amend rules in Ohio Administrative Code (OAC) Chapter 3745-112 to adopt a more recent version of the Ozone Transport Commission (OTC) model rule for consumer products. DAPC has also completed a review of the rules in this chapter to fulfill the requirements of Ohio Revised Code (ORC) Section 106.03 and 106.031 (5-year review).

The rules in OAC Chapter 3745-112 contain regulations for the content of volatile organic compounds (VOCs) in consumer products sold, supplied, offered for sale, or manufactured for use in the state of Ohio. These rules were initially promulgated in 2007 as part of Ohio's strategy to attain the 1997 ozone National Ambient Air Quality Standard (NAAQS) by adopting the standards in the model rule developed by the OTC. The OTC develops model rules for states to consider when adopting consumer products regulations and has since provided updated versions of the model rules, called "phases", for states to consider in subsequent adoption or revision of Consumer Products standards.

The rules in OAC Chapter 3745-112 are currently based on the 2006 Phase II OTC model rule for Consumer Products. Ohio EPA is updating these rules to adopt more recent versions of the OTC model rule; specifically, up through the 2012 Phase IV OTC model rule (this includes adopting the limits in the 2010 Phase III model rule, as well as the 2013 technical update). This update is part of Ohio's strategy to attain the 2015 ozone NAAQS.

Please see the rule synopsis, available electronically at the web address below, for a complete summary of the proposed rule amendments.

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 22, 2021, these rules went out for a 30-day review by interested parties. Please see the rule synopsis, available electronically at the web address below, for a complete summary of the proposed rule amendments.

Pursuant to Part D of Title I of the CAA, Ohio EPA is required to establish a SIP for the attainment and maintenance of the NAAQS. The above-mentioned rules are a part of Ohio's SIP for attainment and maintenance of the 2015 ozone NAAQS and the proposed amendments will be submitted to United States Environmental Protection Agency (U.S. EPA) as a modification of the SIP.

Ohio EPA will hold a virtual public hearing on the rules on **Friday, May 6, 2022, at 10:30 AM**. To attend the virtual hearing, please register at: <https://attendee.gotowebinar.com/register/789271650030108427>. During the hearing, the public may submit written comments on the record about the proposed rules. Written comments may also be submitted electronically any time before the close of business on May 6, 2022 to DAPC-Comments@epa.ohio.gov.

To facilitate the scheduling of oral presentations, persons intending to give testimony in-person at the hearing should notify Cathryn Allen at the Ohio EPA Public Interest Center, cathryn.allen@epa.ohio.gov or (614) 644-2160.

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 revisions. All oral comments presented at the hearing, and all written statements submitted at the hearing or by the close of business on May 6, 2022 will be considered by Ohio EPA prior to final action on this rule and SIP revisions. Written statements submitted after May 6, 2022 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 at <https://epa.ohio.gov/divisions-and-offices/air-pollution-control/regulations/proposed-rules>.

Questions regarding accessing the web site and any other questions or comments about these rules should be directed to Paul Braun at Ohio EPA, (614) 644-3734, DAPC-Comments@epa.ohio.gov, or mailed to Paul Braun, Ohio EPA, Division Air Pollution Control, Lazarus Government Center, P.O. Box 1049, Columbus, Ohio 43216-1049. Persons submitting comments electronically are encouraged to follow-up with a hard copy via regular mail.