

**Public Notice**  
**Ohio Environmental Protection Agency**  
**Proposed amendment of**  
**Ohio Administrative Code (OAC) rule 3745-21-17**

Notice is hereby given that the Ohio Environmental Protection Agency, Division of Air Pollution Control ("DAPC") proposes the following changes to the Ohio Administrative Code ("OAC") related to portable fuel containers ("PFC").

Amendment of rule: OAC Rule 3745-21-17 "Portable Fuel Containers".

DAPC is proposing amendments to paragraphs (A) "Applicability" and (C) "Exemptions" of this rule.

The amendment to paragraph (A) consists of new text that will more clearly specify the certification requirements and requires documentation of the certification.

The amendment to paragraph (C) consists of additional text that will allow for a sell-through period for existing stock of PFC's (i.e., non-compliant PFC's).

As an on-going project, the DAPC, State Implementation Plan (SIP) Section is evaluating control strategies for VOC and NOx emission reductions which are precursors to ozone formation. This rule will provide emission reductions to assist in attaining and maintaining the eight-hour ozone standard throughout the State.

This rule also contains changes necessary to comply with ORC 121.72 which addresses incorporation of referenced materials.

Pursuant to Section 121.39 of the Ohio Revised Code, DAPC was required to consult with interested parties affected by the rule before the division formally adopts them. On July 24, 2006 these rules went out for a 30-day review by interested parties. No comments were received.

Pursuant to Section 119.03 of the Ohio Revised Code, a public hearing on these rule changes will be conducted on Thursday, May 10, 2007 at 2:00 pm, in Conference Room 6B at Ohio EPA, Lazarus Government Center, 50 W. Town Street, Suite 700, Columbus, Ohio.

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 (NAAQS). The above-mentioned rule is 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 May 10, 2007, will be considered by Ohio EPA prior to final action on this rule. Written statements submitted after May 10, 2007, 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 the Web page for electronic downloading by clicking on "regulations" under the "topics" drop-down box. The URL is: <http://www.epa.state.oh.us/dapc/regs/regs.html>. 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.hariness@epa.state.oh.us](mailto:alan.hariness@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.