

**Public Hearing Notice – Request for Comment**  
**Ohio Administrative Code (OAC) Chapter 3745-77, “Title V Permit Rules”**  
**Updates and Five-Year Rule Review**

Notice is hereby given that the Director of Environmental Protection, under the authority of Sections 3704.03(E), 3704.03(G), 3704.03(X), 3704.036 of the Ohio Revised Code and in accordance with Chapter 119, proposes to amend rules 3745-77-01 to 3745-77-10 of the Ohio Administrative Code:

The rules in OAC Chapter 3745-77 address Ohio’s requirements under Title V of the Clean Air Act (CAA). Title V of the CAA requires each state to develop a permit-to-operate (PTO) system and emission fee program for major sources of air pollution. Ohio’s rules for this program became effective on April 20, 1994. The Title V permit for major sources is enforceable by Ohio EPA and U.S. EPA. Major sources must certify compliance with the terms of their permits annually.

Ohio EPA is updating rules to incorporate changes made to the federal list of hazardous air pollutants (HAP), making the statement of basis available for public review, and preparing a written response to significant comments raised during the public participation process. Ohio EPA is also making various changes to typos and grammar throughout the chapter.

The public comment period will run until **October 20, 2023**. A public hearing on this proposed rulemaking will be held to consider public comments in accordance with Section 119.03 of the Ohio Revised Code. Ohio EPA will be holding an in-person and virtual public hearing on the rules on **Friday, October 20, 2023 at 10:30 AM**. The in-person hearing will be at the same time and date and will be located at Ohio EPA, Suite 700, 50 W. Town Street, Columbus, Ohio 43215. During the hearing, the public may submit written comments on the record about the proposed rules if participating virtually and verbally if participating in person.

These rules and supporting documentation are available electronically for review at: <https://epa.ohio.gov/divisions-and-offices/air-pollution-control/regulations/interested-party-review>.

Citizens who wish to participate virtually must register in advance for the meeting at: <https://attendee.gotowebinar.com/register/4834217710000315480>

Registration for the in-person hearing is not required. Citizens intending to give testimony at the hearing should notify the Ohio EPA Public Interest Center, P.O. Box 1049, Columbus, Ohio 43216-1049, (614) 644-2160 or by emailing [mary.mccarron@epa.ohio.gov](mailto:mary.mccarron@epa.ohio.gov). Prior registration will ensure that registrants are heard ahead of those individuals who register at the hearing. Oral testimony may be limited to five minutes, depending on the number of persons testifying. All interested persons are entitled to attend or be represented and to present oral and/or written comments concerning the proposed rule making.

Written testimony should be sent to the attention of Mr. Mike Maleski at the Division of Air

Pollution Control (DAPC), P.O. Box 1049, Columbus Ohio 43216-1049 or can be emailed to [DAPC-comments@epa.ohio.gov](mailto:DAPC-comments@epa.ohio.gov). Written comments may also be submitted to the Hearing Officer at the public hearing. Written testimony will receive the same consideration as oral testimony. All testimony received at the hearing or by close of business on October 20, 2023, will be considered by Ohio EPA prior to final action on this rulemaking proposal. Written comments submitted after this date may be considered as time and circumstances permit.

Questions regarding this rule package should be directed to Mr. Maleski at [michael.maleski@epa.ohio.gov](mailto:michael.maleski@epa.ohio.gov) or (614)644-3613.

To request a reasonable accommodation due to a disability, visit <https://epa.ohio.gov/ada>