

Rule Summary and Fiscal Analysis (Part A)**Ohio Environmental Protection Agency**

Agency Name

Division of Air Pollution Control (DAPC)

Division

Jennifer Nichols

Contact

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3745-31-09

Rule Number

AMENDMENT

TYPE of rule filing

Rule Title/Tag Line

Air permit to install completeness determinations, public participation and public notice.**RULE SUMMARY**

1. Is the rule being filed consistent with the requirements of the RC 119.032 review? **Yes**

2. Are you proposing this rule as a result of recent legislation? **No**

3. Statute prescribing the procedure in accordance with the agency is required to adopt the rule: **119.03**

4. Statute(s) authorizing agency to adopt the rule: **3704.03(F)**

5. Statute(s) the rule, as filed, amplifies or implements: **3704.03(F), 3704.03(A)**

6. State the reason(s) for proposing (i.e., why are you filing,) this rule:

This rule is being filed to fulfill the requirements of Ohio Revised Code (ORC) 119.032 for 5-year rule review.

7. If the rule is an AMENDMENT, then summarize the changes and the content of the proposed rule; If the rule type is RESCISSION, NEW or NO CHANGE, then summarize the content of the rule:

The existing rule contains:

1. Procedures and time frames for performing completeness reviews of PTI applications.
2. Procedures for notifying the applicant of deficient applications.
3. Time frames for issuing permits.
4. Procedures for the public or applicant to request additional time.
5. Procedures for public participation/notification and consideration of comments.

The following changes are part of this proposed amendment:

1. Minor changes to comply with Ohio EPA and/or Legislative Service Commission's formatting and grammar.
2. Updates/corrections to the administrative portion of the rule.

8. If the rule incorporates a text or other material by reference and the agency claims the incorporation by reference is exempt from compliance with sections 121.71 to 121.74 of the Revised Code because the text or other material is **generally available** to persons who reasonably can be expected to be affected by the rule, provide an explanation of how the text or other material is generally available to those persons:

This rule contains references to the Ohio Administrative Code (OAC) and Ohio Revised Code (ORC). While copies of these rules and statutes are generally available to the public through libraries and on-line sources, including the Ohio EPA website, ORC 121.76 (A) exempts such references from the provisions of ORC 121.71 through 121.75.

9. If the rule incorporates a text or other material by reference, and it was **infeasible** for the agency to file the text or other material electronically, provide an explanation of why filing the text or other material electronically was infeasible:

Not applicable.

10. If the rule is being **rescinded** and incorporates a text or other material by reference, and it was **infeasible** for the agency to file the text or other material, provide an explanation of why filing the text or other material was infeasible:

Not Applicable.

11. If **revising** or **refiling** this rule, identify changes made from the previously filed version of this rule; if none, please state so:

Not Applicable.

12. 119.032 Rule Review Date: **9/14/2006**

(If the rule is not exempt and you answered NO to question No. 1, provide the scheduled review date. If you answered YES to No. 1, the review date for this rule is the filing date.)

NOTE: If the rule is not exempt at the time of final filing, two dates are required: the current review date plus a date not to exceed 5 years from the effective date for Amended rules or a date not to exceed 5 years from the review date for No Change rules.

FISCAL ANALYSIS

13. Estimate the total amount by which *this proposed rule* would **increase / decrease** either **revenues / expenditures** for the agency during the current biennium (in dollars): Explain the net impact of the proposed changes to the budget of your agency/department.

This will have no impact on revenues or expenditures.

0

The proposed changes in this rule will have no affect on the agencies current budget.

14. Identify the appropriation (by line item etc.) that authorizes each expenditure necessitated by the proposed rule:

Not applicable.

15. Provide a summary of the estimated cost of compliance with the rule to all directly affected persons. When appropriate, please include the source for your information/estimated costs, e.g. industry, CFR, internal/agency:

Please see the attached fiscal analysis.

16. Does this rule have a fiscal effect on school districts, counties, townships, or municipal corporations? **Yes**

You must complete Part B of the Rule Summary and Fiscal Analysis in order to comply with Am. Sub. S.B. 33 of the 120th General Assembly.

17. Does this rule deal with environmental protection or contain a component dealing with environmental protection as defined in R. C. 121.39? **Yes**

You must complete the Environmental rule Adoption/Amendment Form in order to comply with Am. Sub. 106 of the 121st General Assembly.

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Rule Summary and Fiscal Analysis (Part B)

1. Does the Proposed rule have a fiscal effect on any of the following?

(a) School
Districts

(b) Counties

(c) Townships

(d) Municipal
Corporations

Yes

Yes

Yes

Yes

2. Please provide an estimate in dollars of the cost of compliance with the proposed rule for school districts, counties, townships, or municipal corporations. If you are unable to provide an estimate in dollars, please provide a written explanation of why it is not possible to provide such an estimate.

See attached fiscal analysis

3. If the proposed rule is the result of a federal requirement, does the proposed rule exceed the scope and intent of the federal requirement? **No**

4. If the proposed rule exceeds the minimum necessary federal requirement, please provide an estimate of, and justification for, the excess costs that exceed the cost of the federal requirement. In particular, please provide an estimate of the excess costs that exceed the cost of the federal requirement for (a) school districts, (b) counties, (c) townships, and (d) municipal corporations.

Not Applicable.

5. Please provide a comprehensive cost estimate for the proposed rule that includes the procedure and method used for calculating the cost of compliance. This comprehensive cost estimate should identify all of the major cost categories including, but not limited to, (a) personnel costs, (b) new equipment or other capital costs, (c) operating costs, and (d) any indirect central service costs.

See attached fiscal analysis

(a) Personnel Costs

See attached fiscal analysis

(b) New Equipment or Other Capital Costs

See attached fiscal analysis

(c) Operating Costs

See attached fiscal analysis

(d) Any Indirect Central Service Costs

See attached fiscal analysis

(e) Other Costs

See attached fiscal analysis

6. Please provide a written explanation of the agency's and the local government's ability to pay for the new requirements imposed by the proposed rule.

The amendments proposed as part of this action will not impose any additional cost for compliance. The existing requirements of this rule continue to require a cost of compliance that has existed for a number of years and has been funded through existing budgets.

7. Please provide a statement on the proposed rule's impact on economic development.

The proposed amendments will have no additional impact on economic development. The existing requirements of this rule will continue to impact economic development in that any agency/local government or other entity installing or modifying an air contaminant source in the state of Ohio will have to incur additional costs for the project in order to address the air pollution control requirements of the state, and the requirement to obtain a permit-to-install prior to construction of such sources.

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Environmental Rule Adoption/Amendment Form

Pursuant to Am. Sub. H.B. 106 of the 121st General Assembly, prior to adopting a rule or an amendment to a rule dealing with environmental protection, or containing a component dealing with environmental protection, a state agency shall:

- (1) Consult with organizations that represent political subdivisions, environmental interests, business interests, and other persons affected by the proposed rule or amendment.
 - (2) Consider documentation relevant to the need for, the environmental benefits or consequences of, other benefits of, and the technological feasibility of the proposed rule or rule amendment.
 - (3) Specifically identify whether the proposed rule or rule amendment is being adopted or amended to enable the state to obtain or maintain approval to administer and enforce a federal environmental law or to participate in a federal environmental program, whether the proposed rule or rule amendment is more stringent than its federal counterpart, and, if the proposed rule or rule amendment is more stringent, the rationale for not incorporating its federal counterpart.
 - (4) Include with the proposed rule or rule amendment and rule summary and fiscal analysis required to be filed with the Joint Committee on Agency Rule Review information relevant to the previously listed requirements.
-

- (A) Were organizations that represent political subdivisions, environmental interests, business interests, and other persons affected by the proposed rule or amendment consulted ? **Yes**

Please list each contact.

See attached list.

- (B) Was documentation that is relevant to the need for, the environmental benefits or consequences of, other benefits of, and the technological feasibility of the proposed rule or amendment considered ? **Yes**

Please list the information provided and attach a copy of each piece of documentation to this form. (A SUMMARY OR INDEX MAY BE ATTACHED IN LIEU OF THE ACTUAL DOCUMENTATION.)

40 CFR Part 51 and Part 52

Clean Air Act

- (C) Is the proposed rule or rule amendment being adopted or amended to enable the state to obtain or maintain approval to administer and enforce a federal environmental law or to participate in a federal environmental program ?

Yes

Is the proposed rule or rule amendment more stringent than its federal counterpart ? **No**

- (D) If this is a rule amendment that is being adopted under a state statute that establishes standards with which the amendment is to comply, is the proposed rule amendment more stringent than the rule that it is proposing to amend? **No**

Not Applicable

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Date: 6/8/2006 8:02:09 AM
Subject: Ohio EPA DAPC Rulemaking - OAC Chapter 3745-31 Five Year Review

Notice is hereby given that in accordance with Ohio Revised Code ("ORC") 119.032 (5-year rule review), the Ohio Environmental Protection Agency, Division of Air Pollution Control ("DAPC") has reviewed rules 3745-31-01 to 3745-31-32 contained in the Ohio Administrative Code ("OAC"). These rules are related to requirements for new sources, including permits-to-install air contaminant sources. Our preliminary review indicates that these rules continue to be necessary and are in need of modification. DAPC is also proposing new rule 3745-31-33.

DAPC is proposing changes in order to:

1. Create consistency between definitions and terminology used throughout the chapter.
2. Update references to incorporated materials to comply with the requirements of ORC 121.72 for incorporated materials.
3. Update the administrative section of the rules (i.e., prior effective dates, authorizing and amplifying statutes).
4. Comply with the Ohio EPA and Legislative Service Commission's formatting and grammar requirements.
5. Clarify the intent from previous rule making actions.
6. Clarify requirements for portable sources.
7. Add two new exemptions in OAC 3745-31-03 to address "installed" internal combustion engines that are used for "locomotion" and "dynamometer"

operations for "fully assembled motor vehicles."

8. Update the Auto body refinishing facility permit-by-rule (PBR) to include recently promulgated requirements contained in OAC 3745-21-18.

9. Update the Printing facility PBR to address changes in OAC 3745-21-07 that will be promulgated prior to this rule.

10. Address requirements in Amended Substitute Senate Bill 265 of the 126th General Assembly regarding the definition of "begin actual construction."

A more detailed description of changes can be found in the attached synopsis documents.

As part of the rule-making process, DAPC is required by Section 121.39 of the Ohio Revised Code to consult with organizations that represent political subdivisions, environmental interests, business interests, and others affected by the rules. The DAPC is offering your organization the opportunity to comment on these rules before the division formally proposes them.

Attached, please find the draft OAC rules 3745-31-01 to 3745-31-33. These rules are also available at <http://www.epa.state.oh.us/dapc/regs/regs.html>. We request that you provide us with any comments you may have to the recommended changes by Monday, July 10, 2006.

Please e-mail or mail your comments or suggestions to the following addresses:

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Mailing address: Jennifer Nichols
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Thank you,

Robert Hodanbosi, Chief
Division of Air Pollution Control
Ohio Environmental Protection Agency

Mail Envelope Properties (448811B6.77E : 4 : 968)

Subject: Ohio EPA DAPC Rulemaking - OAC Chapter 3745-31 Five Year Review
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michael.r.hill (Michael Hill)

jm.com
clarkd (Don Clark)

jpmorgan.com
robert.w.delarm (Robert Delarm)

jwp-inc.com
stevenb (Steven Brandenberry)

kecco.net
dkincaid (Dwain Kincaid)

kraton.com
dale.loudermilk (Dale Loudermilk)

kse50.com
cfs (Charles Storrow)
robyn (Robyn)

laa.ci.canton.oh.us
alemanda (Dan Aleman)

lanxess.com
terry.harris (Terry Harris)

law.capital.edu
rfranz (Benjamin Franz)

leagueofohiosportsmen.org
president (Larry Mitchell)

lexisnexis.com
michael.oechsler (Michael Oechsler)

lmco.com
amy.c.jones (Amy Jones)

imgweb.com
c.carr (Christopher Carr)

lubrizol.com
krwl (Karen Walter)

lwvohio.org
lwvoinfo (Terry McCoy)

management.emu.edu.tr
hcagnan (Halil Cagnan)

mapllc.com
cekramek (Charles E. Kramek)
rdblake (Ralph Blake)

marionindustries.com
mdishon (Mark Dishon)

marsulex.com
rpowell (Ray Powell)

martinmarietta.com
joe.green (Joe Green)

matrixsystem.com
rpandrus (Ronald Andrus)

mbna.com
dungeysr (Ronald Dungey Sr.)

mcgough-inc.com
jmcgough (John McGough)

metvan.com
pwentzel (Philip Wentzel)

mgsglaw.com
dsmith (Deron Smith)

michigan.gov
taylorj1 (Joy Taylor Morgan)

millspride.com
debbiehannah (Debbie Hannah)

mmm.com
skzaneski (Stacy Zaneski)

morpc.org
dabel (Daved Abel)
ngill (Nick Gill)
whabig (Bill Habig)

mountvernonohio.org
treatdistadmin (Judy Scott)

mpo.noaca.org
awainright (Amy Wainright)
bdavis (Bill Davis)
sdinunzio (Howard Maier)

msn.com
gkreais (Glenn Kreais)
jdmorehart (Joe Morehart)
n923157 (treg)

muohio.edu
whittala (Lisa Whittamore)

mvrpc.org
mlindsay (Matt Lindsay)

nalco.com
dbores (Dennis Bores)

nasa.gov
christie.myers (Christie Myers)

nav-international.com
terri.sexton (Terri Sexton)

neo.rr.com
jayers6 (Jerry Ayers)

netzero.com
aphillips21 (Anissa Phillips)
nwbbornagain52 (Norm Bratton, Jr.)

nibco.com
bryantr (Ricky Bryant)

nifcoam.com
shirkeym (Mark Shirkey)

nisource.com
mgstrimbu (Mark Strimbu)

oada.com
choward (Charlie Howard)

jcannon (Joseph Cannon)

oaima.org
patj (Pat Jacomet)

obg.com
finchaj (Tony Finch)

odh.ohio.gov
cray (Carol Ray)
rsuppes (Roger Suppes)

ohiochamber.com
kclingan (Kristin Clingan)

ohiocitizen.org
kremias (Kathy Remias)
nwarnock (Noreen Warnock)
rbelz (Rachel Belz)
sbuchanan (Sandy Buchanan)
svaclavikova (Simona Vaclavikova)

ohiomfg.com
kschmidt (Kevin Schmidt)
raugsburger (Ryan Augsburg)

ohspri.ang.af.mil
kevin.connair (Kevin Connair)

oki.org
dorym (Dory Montazemi)
plan (James Duane)

onu.edu
b-french (Bruce French)

OPMCA.org
JRhoads (Jennifer Rhoads)

optim2000.com
sonali.deshpande (Sonali Deshpande)

orbitaltechsolutions.com
tfitzpatrick (Tom Fitzpatrick)

osu.edu

phillippi.13 (Sean Phillippi)

ovec.com

dfulkers (Donald T. Fulkers)

owenscorning.com

tammy.vanwalsen (Tammy VanWalsen)

parknationalbank.com

rroot (Ralph Root)

paynefirm.com

ear (Emily Rynders)

pechiney.com

Brian.galley (Brian Galley)

peckwater.com

drice (Don Rice)

perstorp.com

tony.sloma (Anthony Sloma)

pg.com

dewbury.md (Maxine Dewbury)

pianko.org

jjaymont (John Jaymont)

pilko.com

sandra (Sandra Brand)

porterwright.com

abergman (Drew Bergman)

keftimoff (Kathy Eftimoff)

mseltzer (Martin Seltzer)

rbrubaker (Rob Brubaker)

ppg.com

mroe (Meghan Roe)

praxair.com

ed_saccoccia (Ed Saccoccia)

prodigy.net

shannon.harps (Shannon Harps)

prodigy.net.mx
fburgosz (Fidencio)

protiviti.jp
aki.watanabe (Aki Watanabe)

psara.com
rjstuck (Rich Stuck)

quebecorworld.com
tim.mccarrick (Tim McCarrick)

ralaw.com
sfarolino (Shane Farolino)

ransohoff.com
dbingle (D. Bingle)

rapca.org
marseejs (Jennifer Marsee)
paulja (John Paul)

rcn.com
thealenv (Scott Theal)

regscan.com
kstabler (Karhon Stabler)

reillyind.com
jjones (John Jones)

reprsv.com
dewaltr (Tamara DeWalt)

retec.com
lwong (Leslie Wong)

rewarner.com
tmcclain (Terry McClain)

ribwayengineeringgroup.com
aeribo (Andrew Eribo)

riversunlimited.org
mike.fremont (Mike Fremont)

rmaworld.com
sabuckles (Shelley Buckles)

rmtinc.com
eric.tabor (Eric Tabor, PE)
patty.hemmelgarn (Patty Hemmelgarn)

rrd.com
chris.hassmann (Chris Hassmann)

sagerisk.com
jrocco (James R. Rocco)

sargentlundy.com
bernard.f.mount (Bernard Mount)

sbcglobal.net
akronplating (Jennifer Sevlad)
pcschillawski (Philip Schillawski)

seawaybolt.com
doas (Dave Oas)

servlet.com
bcornett (Cornett, Bruce)

sfstrucksales.com
cvinson (Christopher Vinson)

sgia.org
marcik (Marci Kinter)

shawgrp.com
kay.gilmer (Kay Gilmer)
timothy.thoma (Timothy Thoma)

shell.com
katrina.levert (Katrina LeVert)

shellyco.com
khanna (Katherine Beach)

shiloh.com
heavery (Heather Avery)

sika-corp.com
martin.dan (Daniel Martin)

skycasters.net
cwalton (Chris Walton)

slk-law.com
mborn (Mike Born)
msnyder (Mike Snyder)

smartpapers.com
ken.hardesty (Ken Hardesty)

socplas.org
mmartink (Marie Martinko)

spenceenv.com
curt (Curt Spence)

ssallc.com
bjashby (Barbara Ashby)

ssd.com
dmcwilliams (Doug McWilliams)
kwinters (Karen Winters)

sssnet.com
comanitz (Andrea Comanitz)

stateside.com
LHN (Lane H. Nemirow, Esq)
ri (Rima Idzelis)

stl-inc.com
jbaker (Joe Baker)

stoneenvironmental.com
johnlytle (John Lytle)

sunocoinc.com
cdbarksdale (Chuck Barksdale)

sypris.com
kelly hurley (Kelly Hurley)

techsolve.org

holley (Mary Beth Holley)

tekni-plex.com

clark.baubles (Clark Baubles)

theoec.org

jack (Jack Shaner)

kurt (Kurt Waltzer)

staci (Staci Putney)

thompsonhine.com

andrew.kolesar (Andrew Kolesar)

tko-america.com

rball (Randy Ball)

tmacog.org

erichsen (Kurt Erichsen)

gedeon (David Gedeon)

tnc.org

mkromer (Marlene Kromer)

tomasco.net

dreining (Debra Reining)

Toyota.com

Dan_Monette (Dan Monette)

nikki_gilmore (Nikki Gilmore)

trinityconsultants.com

bbruscin (William Bruscin)

medison (Michael Edison)

psmith (Paul Smith)

trw.com

paul.anteau (Paul Anteau)

todd.clifford (Todd Clifford)

tstrim.com

mike_sarver (Mike Sarver)

ulmer.com

gsmith (Gregory Smith)

urscorp.com

james_mcdonald (James McDonald)
myles_wilkinson (Myles Wilkinson)

US.TIAuto.com
kporr (Ken Porr)

usa.dupont.com
maureen.b.miller-1 (Maureen Miller)

usps.gov
mwisnie1 (Mike Wisniewski)

voyager.net
jpoundsocc (Jack R. Pounds)

vssp.com
wdhayes (Bill Hayes)

vt.edu
chherman (Charles Herman)

waxmanblumenthal.com
mblumenthal (Michael Blumenthal)

webcoenvironmental.com
wbowles (Walter Bowles)

wendys.com
patty_woodward (Patty Woodward)

whitecastle.com
millerje (Jeff Miller)

wideopenwest.com
mfloer (Marvin Floer)

wilkshire.net
somerdale (Linda S. Harvey)

willowbendcapital.com
shailah (Shaila Hossain)

wilresearch.com
bvanscoy (Bruce VanScoy)

windsormoldgroup.com

slegault (Sue Legault)

winecellarinnovations.com
adamc (Adam Cowan)

woh.rr.com
nomegadairy (Concerned Citizens of Neave Twp.)

worthingtonindustries.com
radowney (Roger A. Downey)

yahoo.com
ashishmsj2 (Ashish Kumar)
griffithphuong (Hoang Phuong)
robynn_ut (Robynn Fletcher)
zigato_ (Amie Greene)

yenkin-majestic.com
vics (V.W. Santamaria)

ysu.edu
sldenman (Sandra Denman)

yutakatech.com
cwolf (Carl Wolf)

zande.com
marthainnes (Martha Innes)

zinsser.com
charles.kirman (Charlie Kirman)

zoomtown.com
mtm (Mike Matthews)

Post Office

Route

1st.net
abbott.com
adelphia.net

advancedspecialtycontractors.com
ae.ge.com
aep.com

affinityconsultants.com
aircomp.com

airqualityspecialist.com

alcoa.com

all4inc.com

allegHENyludlum.com

allegHENypower.com

alltel.net

altechenvironmental.com

americansteeltreating.com

ameritech.net

amkinney.com

amp-ohio.org

anheuser-busch.com

aol.com

api.org

aqda.state.oh.us

ashland.com

augustmack.com

ayerquality.com

battelle.org

bdblawn.com

beazer.com

beldenblake.com

bjaam.com

BP.com

bpel.com

bright.net

BROIN.COM

butlercountyohio.org

calfee.com

cantonhealth.org

capstoneassoc.com

carbis.net

carmeusena.com

catohio.cjb.net

cecinc.com

cera.com

cfl.rr.com

champion-

newera.com

chartersteel.com

chefsolutions.com

chemtron-corp.com

churchdwright.com

oleochemicals.com

ci.akron.oh.us
ci.hamilton.oh.us
ci.springfield.oh.us
ci.toledo.oh.us
cinci.rr.com
cincinnati-oh.gov
cinergy.com
cleanfuelsohio.org
cleanohio.com
clevelandairport.com
clowwater.com
coair.com
cognis-

colaik.com
columbus.gov
corematerials.com
corsbassett.com
cpchem.com
craworld.com
crown.com
crownsolutions.com
ctconsultants.com
ctleng.com
cwsllaw.com
delphi.com
delta.com
dispatch.com
dnr.state.oh.us
dom.com
dot.state.oh.us
dplinc.com
dtees.com
duke-energy.com
earthdaycoalition.org
earthjustice.org
earthlink.net
earthtech.com
eastgatecog.org
eckertseamans.com
efiglobal.com
egelhof.com
entrix.com
env-comm.org
envdesigni.com
environcorp.com

help.com

environmental-

environmentalhelp.com

CDO.Central-Office
Central-Support.Central-Office
DAPC.Central-Office
DERR.Central-Office
DHWM.Central-Office
DSIWM.Central-Office
EPAPO.Central-Office
NEDO.Central-Office
NWDO.Central-Office
SEDO.Central-Office
DAPC_INTERNET_USERS.Internet

envirotrac.com
eohiomach.com
epa.gov
epa.state.oh.us
epa.state.oh.us
epa.state.oh.us
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epa.state.oh.us
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epa.state.oh.us
epa.state.oh.us
epamail.epa.gov
eqm.com
eqm-rtp.com
equistarchem.com
eramet-mn-us.com
erm.com
excelloeng.com
faxon-machining.com
fbtlaw.com
fernald.gov
fes.com
fhai.com
firstenergycorp.com
firstsolar.com
fitinc.net
flexography.org
ford.com
fritolay.com
fs.fed.us
fuse.net
gbp.com
gesonline.com
gm.com
gmail.com
goodyear.com
gpu.com
graphicpkg.com
graymont-pa.com

grc.nasa.gov
grenadamfg.com
gspnet.com
gtenvironmental.com
guardian.com
halechrome.com
ham.honda.com
handb.com
hanson.biz
hansonamerica.com
hollandcolours.com
holophane.com
hoover.com
hotmail.com
ici.com
idem.in.gov

industryproductsco.com

infinet.com
innovene.com
intlsteel.com
ispcorp.com
itlcorp.com
jci.com
jm.com
jpmorgan.com
jwp-inc.com
kecco.net
kraton.com
kse50.com
laa.ci.canton.oh.us
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lexisnexis.com
lmco.com
lmgweb.com
lubrizol.com
lwvohio.org

management.emu.edu.tr

mapllc.com
marionindustries.com
marsulex.com
martinmarietta.com

matrixsystem.com
mbna.com
mcgough-inc.com
metvan.com
mgsglaw.com
michigan.gov
millspride.com
mmm.com
morpc.org
mountvernonohio.org
mpo.noaca.org
msn.com
muohio.edu
mvrpc.org
nalco.com
nasa.gov
nav-international.com
neo.rr.com
netzero.com
nibco.com
nifcoam.com
nisource.com
oada.com
oaima.org
obg.com
odh.ohio.gov
ohiochamber.com
ohiocitizen.org
ohiomfg.com
ohspri.ang.af.mil
oki.org
onu.edu
OPMCA.org
optim2000.com

orbitaltechsolutions.com

osu.edu
ovec.com
owenscorning.com
parknationalbank.com
paynefirm.com
pechiney.com
peckwater.com
perstorp.com
pg.com
pianko.org

pilko.com
porterwright.com
ppg.com
praxair.com
prodigy.net
prodigy.net.mx
protiviti.jp
psara.com
quebecorworld.com
ralaw.com
ransohoff.com
rapca.org
rcn.com
regscan.com
reillyind.com
repsrv.com
retec.com
rewarner.com

ribwayengineeringgroup.com
riversunlimited.org
rmaworld.com
rmtinc.com
rrd.com
sagerisk.com
sargentlundy.com
sbcglobal.net
seawaybolt.com
servlet.com
sfstrucksales.com
sgia.org
shawgrp.com
shell.com
shellyco.com
shiloh.com
sika-corp.com
skycasters.net
slk-law.com
smartpapers.com
socplas.org
spenceenv.com
ssallc.com
ssd.com
sssnet.com
stateside.com
stl-inc.com

stoneenvironmental.com

sunocoinc.com
sypris.com
techsolve.org
tekni-plex.com
theoec.org
thompsonhine.com
tko-america.com
tmacog.org
tnc.org
tomasco.net
Toyota.com
trinityconsultants.com
trw.com
ttrim.com
ulmer.com
urscorp.com
US.TIAuto.com
usa.dupont.com
usps.gov
voyager.net
vssp.com
vt.edu

waxmanblumenthal.com

webcoenvironmental.com

wendys.com
whitecastle.com
wideopenwest.com
wilkshire.net

willowbendcapital.com

wilresearch.com

windsormoldgroup.com

winecellarinnovations.com

woh.rr.com

worthingtonindustries.com

yahoo.com
yenkin-majestic.com
ysu.edu
yutakatech.com

zande.com
zinsser.com
zoomtown.com

Files	Size	Date & Time
MESSAGE	3955	6/8/2006 8:01:58 AM
TEXT.htm	3716	
3745-31 IP Admin Summary.pdf		34733 6/6/2006 4:33:48 PM
3745-31 IP Synopsis.pdf	25786	6/7/2006 8:31:36 AM
3745-31-01 IP.pdf	204838	6/6/2006 4:05:24 PM
3745-31-02 IP.pdf	14111	6/6/2006 4:06:22 PM
3745-31-03 IP.pdf	167501	6/6/2006 4:10:01 PM
3745-31-04 IP.pdf	10968	6/6/2006 4:11:35 PM
3745-31-05 IP.pdf	29385	6/6/2006 4:12:46 PM
3745-31-06 IP.pdf	10614	6/6/2006 4:13:30 PM
3745-31-07 IP.pdf	10098	6/6/2006 4:14:17 PM
3745-31-08 IP.pdf	9753	6/6/2006 4:15:12 PM
3745-31-09 IP.pdf	17748	6/6/2006 4:16:10 PM
3745-31-10 IP.pdf	16599	6/6/2006 4:17:43 PM
3745-31-11 IP.pdf	26193	6/6/2006 4:18:43 PM
3745-31-12 IP.pdf	12199	6/6/2006 4:19:56 PM
3745-31-13 IP.pdf	17614	6/6/2006 4:20:53 PM
3745-31-14 IP.pdf	14237	6/6/2006 4:21:41 PM
3745-31-15 IP.pdf	11767	6/6/2006 4:22:31 PM
3745-31-16 IP.pdf	10803	6/6/2006 4:23:12 PM
3745-31-17 IP.pdf	10921	6/6/2006 4:24:17 PM
3745-31-18 IP.pdf	11919	6/6/2006 4:25:06 PM
3745-31-19 IP.pdf	18251	6/6/2006 4:26:06 PM
3745-31-20 IP.pdf	13731	6/7/2006 7:22:58 AM
3745-31-21 IP.pdf	16380	6/7/2006 7:23:45 AM
3745-31-22 IP.pdf	17875	6/7/2006 7:24:21 AM
3745-31-23 IP.pdf	22590	6/7/2006 7:25:15 AM
3745-31-24 IP.pdf	24930	6/7/2006 7:26:01 AM
3745-31-25 IP.pdf	11763	6/7/2006 7:26:50 AM
3745-31-26 IP.pdf	11109	6/7/2006 7:27:31 AM
3745-31-27 IP.pdf	15776	6/7/2006 7:28:46 AM
3745-31-28 IP.pdf	21680	6/7/2006 7:29:47 AM
3745-31-29 IP.pdf	25284	6/7/2006 7:31:20 AM
3745-31-30 IP.pdf	50786	6/7/2006 7:33:16 AM
3745-31-31 IP.pdf	19091	6/7/2006 7:35:20 AM
3745-31-32 IP.pdf	52379	6/7/2006 7:37:08 AM
3745-31-33 IP.pdf	19411	6/7/2006 7:41:11 AM

Options

Expiration Date: None
Priority: Standard

ReplyRequested: No
Return Notification: None

Concealed Subject: No
Security: Standard

Junk Mail Handling Evaluation Results

Message is not eligible for Junk Mail handling

Message is from an internal sender

Junk Mail settings when this message was delivered

Junk List is enabled

Junk Mail using personal address books is not enabled

Block List is enabled

Chapter 31

5-Year Review

2006

Summary of Changes to Administrative Section of Rules

Rule #	Authorizing Statute (ORC)		Amplifying Statute (ORC)		Prior Effective Dates		Notes on Changes
	Current	Entry for Review	Current	Entry for Review	Current	Entry for Review	
31-01	3704.03(f)	R.C. 3704.03(F)	3704.02	R.C. 3704.03(F) and R.C. 3704.03(A)	1/1/74, 8/15/82, 9/18/87, 11/17/88 (Emer.), 3/9/89 (Emer.), 6/12/89, 10/8/93, 6/1/94, 4/12/96, 4/27/98, 9/25/98, 11/30/2001	1/1/74, 8/15/82, 9/18/87, 11/17/88 (Emer.), 3/9/89 (Emer.), 6/12/89, 10/8/93, 6/1/94, 4/12/96, 4/27/98, 9/25/98, 11/30/01, 10/17/03, 10/28/04	<ul style="list-style-type: none"> • Correct Authorizing Statute to capitalize the 'f'. • Further specify the ambiguous amplifying statute. • Added 10/17/03 to the prior effective dates due to accidental omission during the 10/28/04 amendments • Updated format used for dates
31-02	3704.03	R.C. 3704.03(F)	3704.03	R.C. 3704.03(F) and R.C. 3704.03(A)	1/1/74, 8/15/82, 9/18/87, 4/20/94, 4/12/96, 4/27/98, 11/30/2001	1/1/74, 8/15/82, 9/18/87, 4/20/94, 4/12/96, 4/27/98, 11/30/01, 10/17/03	<ul style="list-style-type: none"> • Updated format used for dates • Further specify the ambiguous amplifying and authorizing statute.
31-03	3704.03	R.C. 3704.03(F)	3704.03	R.C. 3704.03(F) and R.C. 3704.03(A)	1/1/74, 8/15/82, 9/18/87, 8/14/89, 10/8/93, 6/1/94, 4/12/96, 4/27/98, 11/30/01, 10/17/03	1/1/74, 8/15/82, 9/18/87, 8/14/89, 10/8/93, 6/1/94, 4/12/96, 4/27/98, 11/30/01, 10/17/03, 7/29/05	<ul style="list-style-type: none"> • Further specify the ambiguous amplifying and authorizing statute.
31-04	3704.03	R.C. 3704.03(F)	3704.03	R.C. 3704.03(F) and R.C. 3704.03(A)	1/1/74, 8/15/82, 9/18/87	1/1/74, 8/15/82, 9/18/87, 10/17/03	<ul style="list-style-type: none"> • Further specify the ambiguous amplifying and authorizing statute.

Rule #	Authorizing Statute (ORC)		Amplifying Statute (ORC)		Prior Effective Dates		Notes on Changes
	Current	Entry for Review	Current	Entry for Review	Current	Entry for Review	
31-05	3704.03	R.C. 3704.03(F)	3704.03	R.C. 3704.03(F) and R.C. 3704.03(A)	1/1/74; 12/7/78; 8/15/82; 11/17/88 (Emer.); 3/9/89 (Emer.); 6/12/89; 10/8/93; 4/20/94; 10/31/94; 4/12/96; 4/27/98; 11/31/2001	1/1/74; 12/7/78; 8/15/82; 11/17/88 (Emer.); 3/9/89 (Emer.); 6/12/89; 10/8/93; 4/20/94; 10/31/94; 4/12/96; 4/27/98; 11/30/01, 10/17/03	<ul style="list-style-type: none"> Updated format used for dates. Correct typo in prior effective date from 11/31 to 11/30. Further specify the ambiguous amplifying and authorizing statute.
31-06	3704.03	R.C. 3704.03(F)	3704.03	R.C. 3704.03(F) and R.C. 3704.03(A)	1/1/74, 8/15/82, 9/18/87	1/1/74, 8/15/82, 9/18/87, 10/17/03	<ul style="list-style-type: none"> Further specify the ambiguous amplifying and authorizing statute.
31-07	3704.03	R.C. 3704.03(F)	3704.03	R.C. 3704.03(F) and R.C. 3704.03(A)	1/1/74, 8/15/82, 11/30/2001	1/1/74, 8/15/82, 11/30/01, 10/17/03	<ul style="list-style-type: none"> Updated format used for dates. Further specify the ambiguous amplifying and authorizing statute.
31-08	3704.03	R.C. 3704.03(F)	3704.03	R.C. 3704.03(F) and R.C. 3704.03(A)	1/1/74, 8/15/82, 11/30/2001	1/1/74, 8/15/82, 11/30/01, 10/17/03	<ul style="list-style-type: none"> Updated format used for dates. Further specify the ambiguous amplifying and authorizing statute.

Rule #	Authorizing Statute (ORC)		Amplifying Statute (ORC)		Prior Effective Dates		Notes on Changes
	Current	Entry for Review	Current	Entry for Review	Current	Entry for Review	
31-09	3734.03(f)	R.C. 3704.03(F)	3734.02	R.C. 3704.03(F) and R.C. 3704.03(A)	none	4/12/96, 10/28/04	<ul style="list-style-type: none"> Added 4/12/96 to the prior effective dates due to accidental omission during the 10/28/04 amendments Correct Authorizing Statute to capitalize the 'f'. Correct and further specify the ambiguous amplifying statute.
31-10	3734.03(f)	R.C. 3704.03(F)	3734.02	R.C. 3704.03(F) and R.C. 3704.03(A)	none	4/12/96, 10/28/04	<ul style="list-style-type: none"> Correct Authorizing Statute to capitalize the 'f'. Correct and further specify the ambiguous amplifying statute.
31-11	3704.03	R.C. 3704.03(F)	3704.03	R.C. 3704.03(F) and R.C. 3704.03(A)	none	4/12/96	<ul style="list-style-type: none"> Further specify the ambiguous amplifying and authorizing statute.
31-12	3704.03	R.C. 3704.03(F)	3704.03	R.C. 3704.03(F) and R.C. 3704.03(A)	none	4/12/96	<ul style="list-style-type: none"> Further specify the ambiguous amplifying and authorizing statute.

Rule #	Authorizing Statute (ORC)		Amplifying Statute (ORC)		Prior Effective Dates		Notes on Changes
	Current	Entry for Review	Current	Entry for Review	Current	Entry for Review	
31-13	3734.03(f)	R.C. 3704.03(F)	3734.02	R.C. 3704.03(F) and R.C. 3704.03(A)	none	4/12/96, 10/28/04	<ul style="list-style-type: none"> Added 4/12/96 to the prior effective dates due to accidental omission during the 10/28/04 amendments Correct Authorizing Statute to capitalize the 'f'. Correct and further specify the ambiguous amplifying statute.
31-14	3704.03	R.C. 3704.03(F)	3704.03	R.C. 3704.03(F) and R.C. 3704.03(A)	none	4/12/96	<ul style="list-style-type: none"> Further specify the ambiguous amplifying and authorizing statute.
31-15	3734.03(f)	R.C. 3704.03(F)	3734.02	R.C. 3704.03(F) and R.C. 3704.03(A)	none	4/12/96, 10/28/04	<ul style="list-style-type: none"> Added 4/12/96 to the prior effective dates due to accidental omission during the 10/28/04 amendments Correct Authorizing Statute to capitalize the 'f'. Correct and further specify the ambiguous amplifying statute.
31-16	3704.03	R.C. 3704.03(F)	3704.03	R.C. 3704.03(F) and R.C. 3704.03(A)	none	4/12/96	<ul style="list-style-type: none"> Further specify the ambiguous amplifying and authorizing statute.

Rule #	Authorizing Statute (ORC)		Amplifying Statute (ORC)		Prior Effective Dates		Notes on Changes
	Current	Entry for Review	Current	Entry for Review	Current	Entry for Review	
31-17	3704.03	R.C. 3704.03(F)	3704.03	R.C. 3704.03(F) and R.C. 3704.03(A)	none	4/12/96	<ul style="list-style-type: none"> Further specify the ambiguous amplifying and authorizing statute.
31-18	3704.03	R.C. 3704.03(F)	3704.03	R.C. 3704.03(F) and R.C. 3704.03(A)	none	4/12/96	<ul style="list-style-type: none"> Further specify the ambiguous amplifying and authorizing statute.
31-19	3704.03	R.C. 3704.03(F)	3704.03	R.C. 3704.03(F) and R.C. 3704.03(A)	none	4/12/96	<ul style="list-style-type: none"> Further specify the ambiguous amplifying and authorizing statute.
31-20	3704.03	R.C. 3704.03(F)	3704.03	R.C. 3704.03(F) and R.C. 3704.03(A)	none	4/12/96	<ul style="list-style-type: none"> Further specify the ambiguous amplifying and authorizing statute.
31-21	3734.03(f)	R.C. 3704.03(F)	3734.02	R.C. 3704.03(F) and R.C. 3704.03(A)	4/12/96	4/12/96, 4/27/98, 10/28/04	<ul style="list-style-type: none"> Added 4/27/98 to the prior effective dates due to accidental omission during the 10/28/04 amendments Correct Authorizing Statute to capitalize the 'f'. Correct and further specify the ambiguous amplifying statute.

Rule #	Authorizing Statute (ORC)		Amplifying Statute (ORC)		Prior Effective Dates		Notes on Changes
	Current	Entry for Review	Current	Entry for Review	Current	Entry for Review	
31-22	3734.03(f)	R.C. 3704.03(F)	3734.02	R.C. 3704.03(F) and R.C. 3704.03(A)	none	4/12/96, 10/28/04	<ul style="list-style-type: none"> Added 4/12/96 to the prior effective dates due to accidental omission during the 10/28/04 amendments Correct Authorizing Statute to capitalize the 'f'. Correct and further specify the ambiguous amplifying statute.
31-23	3704.03	R.C. 3704.03(F)	3704.03	R.C. 3704.03(F) and R.C. 3704.03(A)	none	4/12/96	<ul style="list-style-type: none"> Further specify the ambiguous amplifying and authorizing statute.
31-24	3734.03(f)	R.C. 3704.03(F)	3734.02	R.C. 3704.03(F) and R.C. 3704.03(A)	none	4/12/96, 10/28/04	<ul style="list-style-type: none"> Added 4/12/96 to the prior effective dates due to accidental omission during the 10/28/04 amendments Correct Authorizing Statute to capitalize the 'f'. Correct and further specify the ambiguous amplifying statute.
31-25	3704.03	R.C. 3704.03(F)	3704.03	R.C. 3704.03(F) and R.C. 3704.03(A)	none	4/12/96	<ul style="list-style-type: none"> Further specify the ambiguous amplifying and authorizing statute.

Rule #	Authorizing Statute (ORC)		Amplifying Statute (ORC)		Prior Effective Dates		Notes on Changes
	Current	Entry for Review	Current	Entry for Review	Current	Entry for Review	
31-26	3734.03(f)	R.C. 3704.03(F)	3734.02	R.C. 3704.03(F) and R.C. 3704.03(A)	none	4/12/96, 10/28/04	<ul style="list-style-type: none"> Added 4/12/96 to the prior effective dates due to accidental omission during the 10/28/04 amendments Correct Authorizing Statute to capitalize the 'f'. Correct and further specify the ambiguous amplifying statute.
31-27	3704.03	R.C. 3704.03(F)	3704.03	R.C. 3704.03(F) and R.C. 3704.03(A)	none	4/12/96	<ul style="list-style-type: none"> Further specify the ambiguous amplifying and authorizing statute.
31-28	3704.03, 3734.02, 6111.03	R.C. 3704.03(F)	3704.03, 3704.036	R.C. 3704.03(F) and R.C. 3704.03(A)	none	9/25/98	<ul style="list-style-type: none"> Correct and further specify the authorizing and amplifying statute.
31-29	3704.03, 3734.02, 6111.03	R.C. 3704.03(F)	3704.03, 3734.02, 6111.03	R.C. 3704.03(F) and R.C. 3704.03(A)	none	10/17/03	<ul style="list-style-type: none"> Correct and further specify the authorizing and amplifying statute.
31-30	3734.03(f)	R.C. 3704.03(F)	3734.02	R.C. 3704.03(F) and R.C. 3704.03(A)	none	10/28/04	<ul style="list-style-type: none"> Correct Authorizing Statute to capitalize the 'f'. Correct and further specify the ambiguous amplifying statute.

Rule #	Authorizing Statute (ORC)		Amplifying Statute (ORC)		Prior Effective Dates		Notes on Changes
	Current	Entry for Review	Current	Entry for Review	Current	Entry for Review	
31-31	3734.03(f)	R.C. 3704.03(F)	3734.02	R.C. 3704.03(F) and R.C. 3704.03(A)	none	10/28/04	<ul style="list-style-type: none"> • Correct Authorizing Statute to capitalize the 'f'. • Correct and further specify the ambiguous amplifying statute.
31-32	3734.03(f)	R.C. 3704.03(F)	3734.02	R.C. 3704.03(F) and R.C. 3704.03(A)	none	10/28/04	<ul style="list-style-type: none"> • Correct Authorizing Statute to capitalize the 'f'. • Correct and further specify the ambiguous amplifying statute.

Fiscal Analysis
Chapter 3745-31 of the Administrative Code
“Permit-to-Install New Sources”

Background

The permit-to-install rules have been in the Ohio Administrative Code (OAC) since 1974. They have evolved over the years from being only a state program for installation permits, to including requirements under the Clean Air Act for major new source review (NSR) construction permitting, to being overhauled in 2004 to include significant changes to major NSR under U.S. EPA’s “NSR Reform” initiative.

Essentially, this chapter requires that when a new, or modified, source of air pollution is being installed in the state of Ohio, an application for a permit-to-install (PTI) must be submitted to the Ohio EPA and a PTI be issued to the facility prior to beginning construction of their project. The PTI includes all the requirements the source must comply with. In some cases, these requirements are contained in this chapter (e.g., 3745-31-05(A) (3), best available technology requirements); however, in most cases, the requirements in the PTI come from other chapters in the OAC (e.g., 3745-21-09, Control of emissions of volatile organic compounds from stationary sources and perchloroethylene from dry cleaning facilities).

Obtaining a PTI, in compliance with this chapter, and complying with the terms and conditions of the PTI (which as mentioned above incorporates requirements from other chapters) can incur personnel costs, equipment/capital costs, operating costs, and other indirect costs. However, it is important to note that there is a significant cost savings to the state as a result of regulated entities obtaining and complying with a PTI. Obtaining and complying with a PTI reduces emissions of pollutants compared to those emissions that would be realized without regulation. Reducing emissions benefits the state by providing a cost savings and economic benefit to stakeholders through reduced pollution. Not only does reducing pollution provide for better enjoyment of the states resources through cleaner air but also reduces damage to property caused by pollution; reduces illnesses and reduces health care costs. These cost savings, although difficult to quantify, are significant and may exceed the costs incurred by regulated entities to obtain permits.

The following are the specific rules in this chapter with a discussion of the cost of compliance with each rule to all affected entities; including school districts, counties, townships, and municipal corporations. This chapter affects a wide variety of regulated entities; which could include, for example, an elementary school with a boiler, a municipal powerstation, or a corporate auto manufacturer; each of which could require a PTI. **Please note that the amendments suggested to the rules of this chapter do not affect the cost of compliance with this chapter.** The following discussion is relevant to the existing rules and proposed rules.

3745-31-01 Definitions

There is no cost of compliance. This rule contains definitions applicable to the chapter.

3745-31-02 Requirements

This rule states the requirement that a PTI must be obtained prior to installing a source of air pollution. It is very difficult to estimate in dollars the cost of compliance with obtaining a PTI. A facility will need to prepare an application first. Applications may be prepared and submitted by staff on-site or a facility may hire a consultant to prepare and submit their application. This often depends on the size of the facility, type of facility, and how complicated the project is for which a PTI is needed. A facility may request a PTI for one new source (emissions unit (EU)) or numerous EUs. Depending on the applicable rules, the requirements can be very simple (e.g., minor NSR) to very complicated (e.g., major NSR that requires modeling). An application may take a facility a few hours to prepare and comprise 30 pages or it could take months to prepare and contain hundreds of pages of documents. Therefore, the cost can vary across a wide range being as little as \$100 to \$30,000 (typical estimated cost to have a larger project application be completed by a consulting firm). When submitting an application, an application fee is paid to obtain the PTI. The fee varies depending on the type of facility and project. Fee requirements are contained ORC 3745.11 and range from \$50 to thousands of dollars.

3745-31-03 Permit to install exemptions

This rule provides for cases where a source will be exempt from the requirements to obtain a PTI and therefore has no cost association. It also contains several optional “permit-by-rule” (PBR) categories where a source may elect to operate under the PBR (with all requirements contained in the rule itself) in lieu of applying for and obtaining a PTI. However, this is an option for the facility but generally results in a savings over the traditional PTI required in OAC 3745-31-02.

3745-31-04 Applications

There is no cost of compliance. This rule states the application will be in a form created by the director and identifies who at a facility will sign the application when submitted.

3745-31-05 Criteria for decision by the director

This rule states the director shall only issue a PTI after review of the application and determining the source will not violate any applicable laws and will employ best available technology (BAT) when applicable. BAT is required under ORC 3704.03(F) and defined in ORC 3704.01 as “any combination of work practices, raw material specifications, throughput limitations, source design characteristics, an evaluation of the annualized cost per ton of pollutant removed, and air pollution control devices that have been previously demonstrated to the director of environmental protection to operate

satisfactorily in this state or other states with similar air quality on substantially similar air pollution sources.” Essentially, BAT can be compliance with a rule in another chapter or could require the installation of air pollution control equipment (equipment/capital costs and operating costs). The cost of BAT can vary widely from \$0 to millions of dollars for control equipment.

3745-31-06 Termination

There is no cost of compliance. This rule states the PTI will only be valid if the source is installed within 18 months, unless an extension is requested.

3745-31-07 Revocation

There is no cost of compliance. This rule states how a PTI may be revoked if the director determines it’s necessary or if a source requests revocation.

3745-31-08 Procedure for decision by director

There is no cost of compliance. This rule states the agency will follow the procedural requirements of OAC 3745-47.

3745-31-09 Air permit to install completeness determinations, public participation and public notice

This rule identifies how the agency determines if an application is complete, the time frame for issuing the application after it is determined complete, and how/what stakeholders are identified. If the agency determines the application is incomplete, it will notify the facility and they will be required to submit supplemental information. Additional costs to the facility may occur; however, the costs are associated and included with the costs in OAC 3745-31-02 above, since it’s the same permitting action.

3745-31-10 Air stationary source obligations

There is no cost of compliance. This rule states that a source must comply with other requirements applicable to the source, even when a PTI is issued, and that if a source relaxes any limits imposed through a PTI, it can later be required to go through major NSR again. Additionally, this rule contains requirements for recordkeeping and reporting when a major source uses the actual-to-projected actual emissions methodology (defined in OAC 3745-31-01). However, the records required by this section are typically the same type of records required by other applicable rules (e.g., Title V emission reporting required by OAC 3745-77) and we believe there is no additional burden associated with complying with this recordkeeping.

3745-31-11 Attainment provisions - ambient air increments, ceilings and classifications

This rule contains the requirements for allowable emission increases and ceiling levels from major source of air pollution in attainment areas. It requires a PTI contain limits or other measures (e.g. control devices) necessary to ensure that emission increases stay under the levels required in this rule. The cost of these limits/measures can vary widely from \$0 (limiting actual emissions) to millions of dollars (installing control equipment).

3745-31-12 Attainment provisions - data submission requirements

This rule contains the requirements for data that must be submitted as part of a PTI application from major sources of air pollution in attainment areas. It also requires these types of sources to have best available control technology (BACT) (which would meet the requirements for BAT under OAC 3745-31-02). BACT is similar to BAT, in that it is a determination of the best method to control emissions from a source emitting pollutants. BACT is a federal requirement which the agency implements under major NSR. The cost of BACT can vary widely from \$0 to millions of dollars for control equipment.

3745-31-13 Attainment provisions - review of major stationary sources and major modifications, stationary source applicability and exemptions

There is no cost of compliance. This rule identifies the other rules of this chapter that a major source of air pollution in an attainment area must comply with, or that a facility may be exempt from.

3745-31-14 Attainment provisions – pre-application analysis

This rule contains the requirements for pre-application analysis (e.g., monitoring data, modeling) that may be required to be submitted as part of a PTI application from major sources of air pollution in attainment areas. The pre-application analysis is necessary to determine the impact the source will have on the ambient air. The rule also states the director may require the source to monitor the air after the source is installed per the PTI. The cost of compliance with this rule can vary widely from \$0 (no pre-application analysis required) to thousands of dollars depending on the type, length and amount of monitoring, data collection and analysis required.

3745-31-15 Attainment provisions - control technology review

This rule states the requirements that must be met for major sources of air pollution in attainment areas. This includes the requirement for BACT which was discussed under OAC 3745-31-12 above.

3745-31-16 Attainment provisions - major stationary source impact analysis

This rule requires major sources of air pollution in attainment areas to perform an impact analysis to demonstrate the source will not violate the national ambient air quality standards (NAAQS) or their allowable increase over baseline concentrations. This analysis would be submitted as part of the PTI application of which costs were discussed under OAC 3745-31-02 above. Major sources of air pollution in attainment areas that require analysis such as this and the other requirements in OAC 3745-31-11 through 3745-31-20 tend to have higher application costs.

3745-31-17 Attainment provisions - additional impact analysis

This rule requires major sources of air pollution in attainment areas to perform an 'additional' impact analysis to demonstrate potential impairment to visibility, soils and vegetation that would occur as a result of the stationary source or modification and the effects on air quality due to the general commercial, residential, industrial and other growth associated with the source. This analysis is submitted as part of the PTI application of which costs were discussed under OAC 3745-31-02 above. Major sources of air pollution in attainment areas that require analysis such as this and the other requirements in OAC 3745-31-11 through 3745-31-20 tend to have higher application costs.

3745-31-18 Attainment provisions - air quality models

There is no cost of compliance. This rule identifies appropriate air models themselves that can be used when modeling is required for major sources under other rules in this chapter.

3745-31-19 Attainment provisions - notice to the United States environmental protection agency

There is no cost of compliance. This rule identifies the notification requirements for major sources demonstrating compliance under this chapter. It also identifies the procedures and maximum allowable increase over the baseline concentrations for certain air pollutants from sources in Class I areas (as defined in OAC 3745-31-01) when a variance is requested.

3745-31-20 Attainment provisions - innovative control technology

There is no cost of compliance. This rule states the requirements for major sources of air pollution in attainment areas which 'elect' to request the use of an innovative control technology in lieu of BACT (BACT is discussed under OAC 3745-31-12 above).

3745-31-21 Nonattainment provisions - review of major stationary sources and major modifications - stationary source applicability and exemptions

There is no cost of compliance. This rule identifies the other rules of this chapter that a major source of air pollution in a nonattainment area must comply with, or that a facility may be exempt from.

3745-31-22 Nonattainment provisions - conditions for approval

This rule contains the requirements for data that must be submitted as part of a PTI application from major sources of air pollution in nonattainment areas. This includes the requirement that these types of sources have technology that can achieve a lowest achievable emission rate (LAER) (which would meet the requirements for BAT under OAC 3745-31-02). LAER is similar to BAT, in that it is a determination of the best method to control emissions from a source emitting pollutants. LAER is a federal requirement which the agency implements under major NSR in nonattainment areas. The cost of LAER can vary widely from \$0 to millions of dollars for control equipment. The rule also includes the requirements for emission offsets. Sources locating in a nonattainment area cannot increase the total emissions currently generated for a given air pollutant in that area. The new or modified source must find other sources of emissions within their own facility or other facilities in the nonattainment area to offset the new emissions. This typically requires additional analysis work to be done as part of the application process. Major sources of air pollution in nonattainment areas that require analysis such as this and the other requirements in OAC 3745-31-21 through 3745-31-27 tend to have higher application costs, which are discussed and included with the costs in OAC 3745-31-02 above.

3745-31-23 Nonattainment provisions - stationary sources locating in designated clean or unclassifiable areas which would cause or contribute to a violation of a national ambient air quality standard

This rule contains the requirements for review of major sources of air pollution in areas that are unclassified or designated as clean but the source would violate the NAAQS. It also requires these types of sources to achieve LAER which was discussed under OAC 3745-31-22 above. The rule also states modeling will be used as part of the review of these sources. This type of modeling analysis could be submitted as part of the PTI application of which costs were discussed under OAC 3745-31-02 above. Major sources of air pollution in nonattainment areas that require analysis such as this and the other requirements in OAC 3745-31-21 through 3745-31-27 tend to have higher application costs.

3745-31-24 Nonattainment provisions - baseline for determining credit for emission and air quality offsets

There is no cost of compliance. This rule identifies procedures for determining the baseline for offsetting emissions and other general requirements for generating emission offsets for a major source of air pollution in a nonattainment area.

3745-31-25 Nonattainment provisions - location of offsetting emissions

There is no cost of compliance. This rule identifies requirements for where emission offsets may be obtained for a major source of air pollution in a nonattainment area.

3745-31-26 Nonattainment provisions - offset ratio requirements

There is no cost of compliance. This rule identifies the ratio of emission offsets that must be obtained depending on the category of nonattainment (marginal to extreme) for a major source of air pollution in a nonattainment area.

3745-31-27 Nonattainment provisions - administrative procedures for emissions offsets

There is no cost of compliance. This rule states the administrative procedures for where a major facility/source may obtain emission offsets when locating in a nonattainment area. It also identifies the time period for which offsets must be in place and the federal enforceability of the offsets. The specific permit requirements for emissions offsets are discussed under OAC 3745-21-22 above.

3745-31-28 Review of major stationary sources of hazardous air pollutants requiring MACT determinations

This rule contains the requirements for review of major maximum achievable control technology (MACT) sources of air pollution. It requires major MACT sources to submit certain data and have a MACT determination (analysis) made as part of the permit-to-install application process (PTI application costs were discussed under OAC 3745-31-02 above). Major MACT sources requiring this type of analysis tend to have higher application costs.

3745-31-29 General Permit to Install

There is no cost of compliance. This rule states the requirements for sources of air pollution which 'elect' to request a general permit-to-install in lieu of a regular PTI. This is an option for the facility and generally results in a savings over the traditional PTI.

3745-31-30 Clean Unit

There is no cost of compliance. This rule states the requirements for sources of air pollution which 'elect' to request designation as a clean unit when they have BACT/LAER (or comparable) control of their air pollutant emissions.

3745-31-31 Pollution Control Project

There is no cost of compliance. This rule states the requirements for sources of air pollution which 'elect' to have the control of their air pollutant emissions be considered a pollution control project which results in the elimination of major NSR.

3745-31-32 Plantwide Applicability Limit

There is no cost of compliance. This rule states the requirements for facilities which 'elect' to have their air pollutant emissions be covered under an optional permit with a plantwide limit.

3745-31-33 Site preparation activities prior to obtaining a final permit-to-install.

There is no cost of compliance. This rule describes activities that can be undertaken prior to obtaining a final PTI and, are therefore, excluded from the definition of begin actual construction contained in OAC 3745-31-01.