

Hearing Summary

Rule Package: OAC Ch. 3745-103, 5-yr review

Original filing date: July 31, 2017

Public comment start date: July 31, 2017

Public comment end date: September 7, 2017

Public hearing date: September 7, 2017

List of Rules: OAC Chapter 3745-103, rules 01 to 09, 11 to 22, 24, 26 to 35, 40,
42 to 49, 51 to 63, 65, and 66

Were there any participants in this public hearing beyond Ohio EPA staff or JCARR staff?

☐ Yes ☒ No

Were there comments received during the public comment period outside of those presented at this hearing?

☐ Yes ☒ No

This hearing summary has been compiled to meet the requirements of Section 119.03 of the Revised Code.

This hearing summary includes this cover sheet and the following attachments:

1. **Attachment A** - A copy of the public notice for this hearing.
2. **Attachment B** - A copy of the script read into the record to begin and end the hearing.

Ohio EPA digitally records all public hearings for rules. The digital recordings are available upon request in a WAVE (.wav) file format. These recordings may be sent out for transcription if necessary.

Public Hearing
Ohio Environmental Protection Agency
Five-Year Rule Review of Ohio Administrative Code (OAC)
OAC Chapter 3745-103, "Acid Rain Permits and Compliance"

Notice is hereby given that the Ohio Environmental Protection Agency, Division of Air Pollution Control (DAPC) has performed a review of the above referenced rules primarily to satisfy the requirements of Section 106.03 and 106.031 of the Ohio Revised Code (five-year review). The DAPC finds these rules to be necessary and with need for changes.

The rules in this chapter contain the requirements pertaining to the Acid Rain program for limitation of emissions of sulfur dioxide and nitrogen oxides from fossil-fuel fired electrical generating units. Upon review, Ohio EPA has determined that some changes are needed and that all rules in the chapter remain necessary. DAPC is not recommending significant changes to the scope or intent of the rules. Minor amendments to 51 rules (OAC rules 3745-103-01 to -09, -11 to -22, -24, -26 to -29, -31 to -35, and -42 to -45, -47 to -48, -51 to -53, -55 to -63 and -65 to -66) have been drafted to ensure equivalency with the federal equivalent, correct cross-references and typographical errors, and conform with agency formatting standards.

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 June 2, 2017, these rules went out for a 30-day review by interested parties. No comments were received.

Pursuant to Section 106.03 and 106.031 of the Ohio Revised Code, a public hearing on these rule changes will be conducted on **Thursday, September 7, 2017 at 10:30 AM** at Ohio EPA, Lazarus Government Center, 50 W. Town Street, Suite 700, Columbus, Ohio. All visitors to Ohio EPA must register at the Security desk in the lobby upon arrival. Please bring photo identification (such as a valid driver's license). For security reasons, visitors are required to wear their badge at all times while in the building. Please arrive early to complete these procedures.

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 September 7, 2017 will be considered by Ohio EPA prior to final action on this rule. Written statements submitted after September 7, 2017 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. The URL is: <http://epa.ohio.gov/dapc/DAPCrules.aspx>. Please see the information under the "proposed rules" tab. 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, paul.braun@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.

DAPC Acid Rain Rules Hearing

9/7/17

My name is Kristopher Weiss. I am with the Public Interest Center. I will be presiding over today's public hearing.

Thank you for taking time to attend this hearing before Ohio EPA. The purpose of the hearing today is to obtain comments from any interested person regarding Ohio EPA's proposed rules.

Ohio EPA Division of Air Pollution Control is proposing revisions to Ohio Administrative Code Chapter 3745-103. These rules regard Acid Rain Permits and Compliance.

These rules have been filed with the Joint Committee on Agency Rule Review. Copies of the rules are available for public review at Ohio EPA's Columbus Office and on our website.

All interested persons are entitled to attend or be represented, and to present oral and/or written comments concerning the proposed rules. All written and oral comments received as part of the official record will be considered by the director of Ohio EPA before a final decision is made.

To be included in the official record, written comments must be received by Ohio EPA by the close of business, today, September 7, 2017. These comments may be filed with me today or emailed to paul.braun@epa.ohio.gov. All written comments submitted for the record receive the same consideration as oral testimony given today.

Written statements submitted after today may be considered as time and circumstances permit, but will not be part of the official record of the hearing.

If you wish to present oral testimony at this hearing today and have not already signed the registration sheet, please do so at this time. The sheet is available at the registration table. Persons will be called in the order in which they have registered.

There is no cross examination of speakers or of representatives of Ohio EPA in public hearings. Ohio EPA hearings such as this afford citizens the opportunity to provide comments on the official record. Therefore, we will not be able to answer questions during the hearing. However, members of the panel may ask clarifying questions of the person testifying to ensure the record is as complete and accurate as possible.

I will now read the names of those who have registered at this hearing and will give each person an opportunity to testify.

Is there anyone else who wishes to testify at this time?

Seeing no further requests for testimony, I remind you that written comments can be submitted through the close of business today.

Thank you for attending. The time is now and this hearing is adjourned.