

**NOTICE OF RESCISSION OF RULES
OHIO ENVIRONMENTAL PROTECTION AGENCY
OHIO ADMINISTRATIVE CODE (OAC) CHAPTER 3745-101
TRANSPORTATION CONFORMITY**

Notice is hereby given that the Director of the Ohio Environmental Protection Agency (Ohio EPA) has adopted the following rules of the Ohio Administrative Code:

<u>Rule #</u>	<u>Title:</u>
3745-101-01	Purpose
3745-101-02	Definitions
3745-101-03	Applicability, Priority, and Frequency of Conformity Determinations
3745-101-04	Consultation
3745-101-05	Content of Transportation Plans
3745-101-06	Relationship with NEPA and Fiscal Constraints

On March 2, 2015, USEPA published, in the federal register (80 FR 11133), a notice detailing the replacement of OAC Ch. 3745-101 in Ohio's state implementation plan (SIP) with a set of memorandums of understanding (MOU) between Ohio EPA and various federal, state and local agencies responsible for the conformity process. Because these rules are no longer a part of Ohio's SIP, they are no longer necessary, therefore, Ohio EPA is rescinding all of the rules in this chapter with this rulemaking.

The Director's order of adoption was issued on December 1, 2015. These amended rules will become effective on December 12, 2015.

The Director's action in this matter is pursuant to the procedural requirements of Ohio Revised Code Chapter 119 and is based upon the record of the public hearing conducted by Ohio EPA on September 30, 2015, and comments received during the public comment period.

You are hereby notified that this action of the Director is final and may be appealed to the Environmental Review Appeals Commission pursuant to Section 3745.04 of the Ohio Revised Code. The appeal must be in writing and set forth the action complained of and the grounds upon which the appeal is based. The appeal must be filed with the Commission within thirty (30) days after notice of the Director's action. The appeal must be accompanied by a filing fee of \$70.00, made payable to "Treasurer, State of Ohio," which the Commission, in its discretion, may reduce if by affidavit you demonstrate that payment of the full amount of the fee would cause extreme hardship. Notice of the filing of the appeal shall be filed with the Director within three (3) days of filing with the Commission. Ohio EPA requests that a copy of the appeal be served upon the Ohio Attorney General's Office, Environmental Enforcement Section. An appeal may be filed with the Environmental Review Appeals Commission at the following address:

Environmental Review Appeals Commission
77 South High Street, 17th Floor
Columbus, Ohio 43215