RULE SYNOPSIS

Interested Parties Draft Comments Requested for Rescission
Ohio Administrative Code (OAC) Rules 3745-101-01 to 3745-101-06
Transportation Conformity Rules

Ohio Administrative Code Chapter 3745-101 contains Ohio's Transportation Conformity regulations. Transportation Conformity is established under Section 176(c) of the Clean Air Act (CAA) and prohibits Federal entities from taking actions in a nonattainment or maintenance area which do not conform to Ohio's State implementation plan (SIP) for the attainment and maintenance of the national ambient air quality standards (NAAQS). Therefore, the purpose of conformity is to ensure Federal activities do not interfere with the SIP; ensure actions do not cause or contribute to new violations of the NAAQS; and ensure attainment and maintenance of the NAAQS.

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 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 MOUs which are replacing these rules can be viewed on Ohio EPA's website at: http://epa.ohio.gov/dapc/sip/trans_conform.aspx

On July 1, 2015, Ohio EPA released the rules and the draft business impact analysis (BIA) for a 30-day comment period ending August 4, 2015. Ohio EPA received no comments on the rules or the BIA document.