



**Environmental
Protection Agency**

John R. Kasich, Governor
Mary Taylor, Lt. Governor
Scott J. Naily, Director

JUN 03 2011

Cheryl Newton
Director, Air and Radiation Division
U.S. Environmental Protection Agency
Region V
77 West Jackson Boulevard
Chicago, Illinois 60604-3950

Re: Clarification on Ohio's September 4, 2009 Infrastructure State Implementation Plan (SIP) to address the 2006 fine particulate matter (PM2.5) national ambient air quality standard (NAAQS).

Dear Mrs. Newton:

This letter is in response to a request by your staff for clarification regarding U.S. EPA concerns with Ohio's Infrastructure SIP for the 2006 PM2.5 NAAQS. Your staff has requested clarification regarding Ohio's implementation of the federal New Source Review (NSR) provisions for prevention of significant deterioration (PSD) and nonattainment NSR permitting.

First, clarification is requested with respect to Ohio's need to address Section 110(a)(2)(D)(ii) of the Clean Air Act (CAA). Section 110(a)(2)(D)(ii) of the CAA requires a State program to contain adequate provisions to insure compliance with Sections 126 of the CAA (relating to interstate pollution abatement) and Section 115 of the CAA (relating to international pollution abatement). To clarify, Ohio has no pending obligations under Section 115 (relating to interstate pollution abatement). Ohio does have a U.S. EPA approved PSD program, under Ohio Administrative Code Chapter 3745-31, where neighboring States are notified regarding new or modified sources, consistent with Section 126(a) of the CAA, when applicable. Furthermore, Ohio has no more obligations under any other subsection of Section 126 of the CAA.

Second, clarification is requested with respect to Ohio's need to address Section 110(a)(2)(D)(i)(II) of the CAA. Section 110(a)(2)(D)(i)(II) of the CAA requires a State program to contain adequate provisions prohibiting any source or other type of

emissions activity within the State from emitting any air pollutant in amounts which will interfere with measures required to be included in the implementation plan for any other State under their PSD program. To clarify, Our U.S. EPA approved PSD program, under Ohio Administrative Code Chapter 3745-31, is intended not only satisfy the requirements of Section 110(a)(2)(C) of the CAA, consistent with our September 4, 2009 Infrastructure SIP submittal, but also to satisfy the relevant portions of Section 110(a)(2)(D)(i)(II) referenced above.

Furthermore, any issues that remain with respect to the direct evaluation of $PM_{2.5}$ under our PSD program should have been resolved in our letter to you dated April 7, 2011 (Re: Clarification on Ohio's December 5, 2007 Infrastructure State Implementation Plan (SIP) to address the 1997 fine particulate matter ($PM_{2.5}$) national ambient air quality standard (NAAQS)).

Lastly, any issues that may remain with respect the permitting of GHG emitting sources at the Federal tailoring rule thresholds should have been resolved in our letter to you also dated April 7, 2011 (Re: Clarification on Ohio's December 5, 2007 Infrastructure State Implementation Plan (SIP) to address the 1997 ozone and fine particulate matter ($PM_{2.5}$) national ambient air quality standard (NAAQS)).

Sincerely,



Bob Hodanbosi
Chief, Division of Air Pollution Control
Ohio EPA