

3745-103-20      **Permit reopenings.**

[Comment: For dates and availability of non-regulatory government publications, publications of recognized organizations and associations, federal rules, and federal statutory provisions referenced in this rule, see paragraph (C) of rule 3745-103-01 of the Administrative Code titled "Referenced materials."]

(A) The director shall reopen an acid rain permit for cause whenever any of the following occur:

- (1) Any additional requirement under the acid rain program becomes applicable to any affected unit governed by the permit;
- (2) The director determines that the permit contains a material mistake or that an inaccurate statement was made in establishing the emissions standards or other terms or conditions of the permit, unless the mistake or statement is corrected in accordance with rule 3745-103-18 of the Administrative Code;  
~~or.~~
- (3) The director determines that the permit must be revised or revoked to assure compliance with acid rain program requirements.

(B) In reopening an acid rain permit for cause, the director ~~will~~shall issue a draft permit changing the provisions, or adding the requirements, for which the reopening was necessary. The draft permit shall be subject to the requirements of rules 3745-103-11 and 3745-103-13 of the Administrative Code.

(C) As provided in paragraph (B)(1) of rule 3745-103-13 of the Administrative Code and paragraph (c)(2) of 40 CFR 72.74, the director shall reopen an acid rain permit to incorporate nitrogen oxides requirements, consistent with rules 3745-103-55 to 3745-103-66 of the Administrative Code.

Effective:

Five Year Review (FYR) Dates: 07/31/2017

---

Certification

---

Date

Promulgated Under: 119.03  
Statutory Authority: 3704.03(E)  
Rule Amplifies: 3704.03(A), 3704.03(E)  
Prior Effective Dates: 9/10/97, 6/27/02, 1/12/07, 11/10/11