

## **RULE SYNOPSIS**

Draft rule language for Ohio Administrative Code (OAC) Chapter 3745-14 (Phase 2)  
(NOx Budget Program)

The Ohio EPA Division of Air Pollution Control (DAPC) has prepared draft amendments to the Nitrogen Oxide (NOx) Budget Program rules in Ohio Administrative Code (OAC) Chapter 3745-14. This is the second in two phases of rulemaking to revise OAC Chapter 3745-14. In the first phase, revisions to OAC Chapter 3745-14 are being made to demonstrate continued compliance by large non-Electric Generating Units (non-EGUs) with the NOx State Implementation Plan (SIP) Call following U.S. EPA's discontinuation of compliance trading options. During the comment period for the Phase 1 rulemaking, Ohio EPA received comments requesting an alternative to continuous monitoring and reporting of emissions under 40 CFR Part 75 (commonly referred to as Part 75 monitoring and reporting). In this second phase of the rulemaking, provisions are being added for an alternative to the existing Part 75 monitoring and reporting requirements.

Under these revised rules, facilities can request approval for alternative monitoring and reporting requirements in lieu of the Part 75 requirements. The alternative monitoring must include monitoring of heat input and fuel use and an approved emission factor for current operating conditions. Request for the alternative is made via an application for an operating permit which includes an emission factor analysis and description of the proposed monitoring procedures for fuel use and heat input. The approved emission factor, monitoring procedures for heat input and fuel use, and associated terms and conditions must be approved in the applicable operating permit prior to use of the alternative. Ozone season NOx emissions data will be reported as part of the Fee Emissions Reports which are currently required under OAC Chapter 3745-78. Stack tests must be conducted to demonstrate the approved emission factor continues to be representative of current operating conditions. If the emissions factor analysis submitted with the permit application did not include a stack test, an initial stack test is required within ninety days of permit issuance. Ongoing stack tests are required at least once every five years from the date of the previous stack test. Records of daily heat input and fuel use and daily NOx emissions must be maintained and made available to Ohio EPA upon request.