



Early Stakeholder Outreach — OAC Rule 3745-31-01

Ohio EPA prepares early stakeholder outreach fact sheets to ensure stakeholders are brought into the review process as early as possible and to obtain additional input and discussion before development of interested party draft rules.

What do these rules cover?

Ohio Administrative Code (OAC) rule 3745-31-01 is a part of Ohio's "Permit-to-Install New Sources and Permit-to-Install and Operate" Program.

On August 24, 2016, USEPA published their final rule in 81 FR 58010 regarding the requirements for state implementation plans (SIP) for attaining and maintaining the 2012 national ambient air quality standard (NAAQS) for particulate matter less than 2.5 microns in diameter (PM_{2.5}).

As part of Ohio's SIP, Ohio EPA has performed a comprehensive precursor demonstration to show that volatile organic compounds (VOC) and ammonia are an insignificant source of PM_{2.5} for the purpose of new source review in nonattainment areas. This rulemaking is intended to modify OAC rule 3745-31-01 to reflect this finding.

Why are these rules being sent out for Early Stakeholder Outreach?

The first step in the rule-making process is for Ohio EPA to identify that a rule needs to be amended, rescinded, or created. In response to EO 2011-01K, Ohio EPA has added an additional step to ensure stakeholders are brought into the rule process as early as possible. This additional interested party notification and request for information will allow for early feedback before the rule language has been developed by the Agency.

What changes are being considered?

As noted above, Ohio EPA has performed a comprehensive precursor demonstration and determined that VOCs and ammonia are not a significant source of PM_{2.5} for the purpose of new source review in nonattainment areas. Ohio intends to modify the rules to reflect this finding and exempt facilities from control requirements for these compounds for the purpose of regulating PM_{2.5}.

Who will be regulated by these rules?

The rules in OAC Chapter 3745-31 are applicable to facilities required to obtain a permit-to-install or a permit-to-install and operate under the applicability requirements in OAC rule 3745-31-02.

What is the rulemaking schedule?

Upon completion of the Early Stakeholder Outreach portion of this rulemaking, Ohio EPA will make any changes necessary to the rule language and make a draft of the rule language available to the public for a 30-day review.

How can I provide input?

The Agency is seeking stakeholder input on the rules. When preparing your comments, be sure to:

- explain your views as clearly as possible;
- describe any assumptions used;
- provide any technical information and/or data used to support your views;
- explain how you arrived at your estimate for potential burdens, benefits or costs;
- provide specific examples to illustrate your views; and
- offer alternatives.

Written comments will be accepted through close of business **Monday, October 31, 2016**. Please submit input to:

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What if I have questions?

These rules can be found on Ohio EPA's website for electronic downloading at: http://epa.ohio.gov/dapc/regs/3745_31.aspx or contact Mr. Braun (information provided above).

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What input is the Agency seeking?

The following questions may help guide you as you develop your comments.

- Is the general regulatory framework proposed the most appropriate? Should the Agency consider any alternative framework?
- What options are available for improving an identified concept? What options are available for improving the existing rules?
- Are there considerations the Agency should take into account when updating the existing rules? Are there considerations the Agency should take into account when developing a specific concept?
- Is there any information or data the Agency should be aware of when developing program concepts or rule language?

Contact

For more information, contact Paul Braun at paul.braun@epa.ohio.gov or (614)644-3734.