



## Early Stakeholder Outreach — OAC Chapter 3745-110 – Nitrogen Oxides - Reasonably Available Control Technology Regulations

*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 does OAC Chapter 3745-110 cover?

Chapter 3745-110 of the Ohio Administrative Code (OAC) establishes requirements for emissions of Nitrogen oxides (NO<sub>x</sub>) from very large, large, mid-size, and small boilers, stationary combustion turbines, stationary internal combustion engines or reheat furnace as defined in OAC rule 3745-110-01, or it is located at a facility that emits or has the potential to emit a total of more than one hundred tons per year of NO<sub>x</sub> emissions from all sources at that facility. NO<sub>x</sub> is a precursor compound which, along with volatile organic compounds (VOCs) can form ozone. Ozone is one of the compounds of interest for which a National Ambient Air Quality Standard (NAAQS) has been established under the Clean Air Act.

### 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The first step in the rule-making process is for Ohio EPA to identify that a rule needs to be amended, rescinded, or created.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?

Ohio EPA will be performing a general review of the rules in this chapter to fulfill the requirements of ORC 106.03 and 106.031 (5-year review). Along with various minor changes for clarification and to fix typographical errors, Ohio EPA is considering making changes to OAC rule 3745-110-03 to revisesite specific requirements for three facilities in northeast Ohio, and adding exemptions in paragraph (K) of OAC rule 3745-110-03 for lime kilns and stationary internal combustion engines. Ohio EPA will also consider other changes, as warranted, based on comments received.

### Who will be regulated by these rules?

The rules in OAC Chapter 3745-110 are applicable to very large, large, mid-size, and small boilers, stationary combustion turbines, stationary internal combustion engines or reheat furnace as defined in OAC rule 3745-110-01, or it is located at a facility that emits or has the potential to emit a total of more than one hundred tons per year of NO<sub>x</sub> emissions from all sources at that facility; and the facility is located in Ashtabula, Cuyahoga, Geauga, Lake, Lorain, Medina, Portage, or Summit County.

### 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 **Friday, August 18, 2017**.

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\\_110.aspx](http://epa.ohio.gov/dapc/regs/3745_110.aspx) or contact Mr. Braun (information provided above).

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## 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.

## 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](mailto:paul.braun@epa.ohio.gov) or (614)644-3734.