

RULE SYNOPSIS

Ohio Administrative Code (OAC) Chapter 3745-112, "Consumer Products" Five-year review

The Ohio EPA Division of Air Pollution Control (DAPC) has completed a review of the rule language in Ohio Administrative Code (OAC) Chapter 3745-112, "Consumer Products", as required by Ohio Revised Code (ORC) Sections 106.03 and 106.031 (Five-year review). DAPC has determined that all the rules in this chapter are still necessary and that minor changes are necessary to OAC rules 3745-112-02 and 3745-112-08.

These rules were initially promulgated in September, 2007 by adopting the standards in the model rule developed for Consumer Products by the Ozone Transport Commission (OTC). These rules were a part of Ohio's strategies to attain the 1997 8-hr ozone National Ambient Air Quality Standard (NAAQS) and are now necessary to maintain the ozone NAAQS and assist with attaining the newer ozone NAAQS.

The rules in this chapter are performance based regulations. These rules set limits on the quantity of VOCs which may be contained in each listed product category. Producers of these products are allowed to determine their own method for achieving the VOC content limit.

On July 13, 2017, DAPC released the rules and a draft business impact analysis (BIA) document for public comment. And no public comments were received.

On December 6, 2012, OAC rules 3745-112-02 and 3745-112-08 were adopted with a typographical error to the authorizing statute in the administrative portion of the rule. In order to file these rules with the Joint Committee on Agency Rule Review, DAPC must amend the statute and file the rules as amended. The correct authorizing statute for these rules is ORC 3704.03(E). DAPC does not plan to make any other changes to these rules.