

BILL 265 OF THE 126th GENERAL ASSEMBLY (SB265)

Monitoring, Record-keeping, Reporting and Operational Restrictions

- Effective August 3, 2006, Ohio EPA began implementing division (I) of ORC 3704.03. At this time, Ohio EPA does not intend to incorporate these requirements into OAC rules. Rather, the requirements of the ORC are being implemented in the permit review process. Ohio EPA does not plan to reopen permits solely to modify monitoring, reporting and record-keeping provisions. Ohio EPA will implement these provisions during permit issuance, modification or renewal.

ORC 3704.03(F)(3) ORC 3704.03(I) Require the ~~person responsible for any owner or operator of an air~~ contaminant source to install, employ, maintain, and operate such emissions, ambient air quality, meteorological, or other monitoring devices or methods as the director shall prescribe; to sample those emissions at such locations, at such intervals, and in such manner as the director prescribes; to maintain records and file periodic reports with the director containing information as to location, size, and height of emission outlets, rate, duration, and composition of emissions, and any other pertinent information the director prescribes; and to provide such written notice to other states as the director shall prescribe. In requiring monitoring devices, records, and reports, the director, to the extent consistent with the federal Clean Air Act, shall give consideration to technical feasibility and economic reasonableness and allow reasonable time for compliance. For sources where a specific monitoring, record-keeping, or reporting requirement is specified for a particular air contaminant from a particular air contaminant source in an applicable regulation adopted by the United States environmental protection agency under the federal Clean Air Act or in an applicable rule adopted by the director, the director shall not impose an additional requirement in a permit that is a different monitoring, record-keeping, or reporting requirement other than the requirement specified in the applicable regulation or rule for that air contaminant except as otherwise agreed to by the owner or operator of the air contaminant source and the director. If two or more regulations or rules impose different monitoring, record-keeping, or reporting requirements for the same air contaminant from the same air contaminant source, the director may impose permit terms and conditions that consolidate or streamline the monitoring, record-keeping, or reporting requirements in a manner that conforms with each applicable requirement. To the extent consistent with the federal Clean Air Act and except as otherwise agreed to by the owner or operator of an air contaminant source and the director, the director shall not require an operating restriction that has the practical effect of increasing the stringency of an existing applicable emission limitation or standard