

3745-103-14

**Acid rain permit appeal procedures.**

[Comment: For dates and availability of non-regulatory government publications, publications of recognized organizations and associations, federal rules, and federal statutory provisions referenced in this rule, see paragraph (C) of rule 3745-103-01 of the Administrative Code titled "Referenced materials."]

- (A) The USEPA may intervene as a matter of right in any administrative appeal of an acid rain permit or denial of an acid rain permit.
- (B) No administrative appeal concerning an acid rain requirement shall result in a stay of any of the following requirements:
- (1) The allowance allocations for any year during which the appeal proceeding is pending or is being conducted;<sub>2</sub>
  - (2) Any standard requirement under rule 3745-103-05 of the Administrative Code;<sub>2</sub>
  - (3) The emissions monitoring and reporting requirements applicable to the affected units at an affected source under 40 CFR Part 75;<sub>2</sub>
  - (4) Uncontested provisions of the decision on appeal;~~and~~<sub>2</sub>
  - (5) The terms of a certificate of representation submitted by a designated representative under 40 CFR Part 72, Subpart B.

Effective:

Five Year Review (FYR) Dates: 07/31/2017

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Certification

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Date

Promulgated Under: 119.03  
Statutory Authority: 3704.03(E)  
Rule Amplifies: 3704.03(A), 3704.03(E)  
Prior Effective Dates: 9/10/97, 1/12/07, 11/10/11