

Public Notice – Amended OAC Rule 3745-17-11
Draft Available for Comment

Notice is hereby given that the Ohio Environmental Protection Agency, Division of Air Pollution Control (DAPC) has prepared draft language for an amendment to rule 3745-17-11 of the Ohio Administrative Code (OAC) related to the control of particulate emissions from industrial sources.

This rule was finalized and became effective on February 1, 2008. This rule was conditionally approved by U.S. EPA into the Ohio SIP on December 27, 2010. In order to obtain full approval Ohio EPA agreed to incorporate an additional change which was documented in U.S. EPA's final Federal Register dated October 26, 2010. This change addresses concerns raised by U.S. EPA regarding paragraph (A)(1)(I) of Ohio's final rule.

Specifically, the following text is added to paragraph (A)(1)(I) of this rule; "... any such exemption approved by the Director must be approved by the U.S. environmental protection agency as a revision of the state implementation plan." This wording is similar to what Ohio EPA has used before in OAC rule 3745-21-09(B)(2) for Director's discretion items in the VOC rules and is agreeable to U.S. EPA. With this proposed amendment U.S. EPA will grant full approval, regarding this rule, to Ohio's revised SIP. Federal Register Volume 75, No. 206, FR 65569-70 provides the full explanation of the needed change.

As part of the rule-making process, DAPC is required by Section 121.39 of the Ohio Revised Code to consult with organizations that represent political subdivisions, environmental interests, business interests, and others affected by the rules. The DAPC is offering your organization the opportunity to comment on these rules before the division formally proposes them.

Attached, please find the draft amended OAC rule 3745-17-11. This rule is also available at <http://www.epa.ohio.gov/dapc/regs/regs.aspx>. We request that you provide us with any comments you may have to the changes that have been recommended by Friday, August 26, 2011.

Please e-mail or mail your comments or suggestions to the following addresses. Persons submitting comments electronically are encouraged to follow-up with a hard copy via regular mail:

E-mail: alan.harness@epa.state.oh.us

Mailing address: Alan L. Harness
Ohio Environmental Protection Agency, DAPC
Lazarus Government Center
P.O. Box 1049
Columbus, Ohio 43216-1049

Phone: (614) 644-4838

Thank you,

Robert Hodanbosi, Chief
Division of Air Pollution Control
Ohio Environmental Protection Agency