

State of Ohio
Environmental Protection Agency
Notice of Adoption of Rules

Notice is hereby given that the Director of Environmental Protection, under the authority of Ohio Revised Code Section 3704.03 has adopted amended rules 3745-21-01, 3745-21-09, 3745-21-21, 3745-21-23, 3745-21-24, 3745-72-02, 3745-72-05, 3745-72-06, 3745-110-01, and 3745-110-03 of the Administrative Code, and new rules 3745-21-27, 3745-21-28, and 3745-21-29 of the Administrative Code.

The rules specified above are intended to assist the state of Ohio in achieving and/or maintaining the national 8-hour ground level ozone standard through the regulation of volatile organic compound (VOC) emissions from stationary sources. VOC emissions are a precursor to ozone formation. These rules have had their applicability extended to include the Cleveland/Akron, Ohio non-attainment area in order to aid in the reduction of ozone formation.

A public hearing on these rules was held on February 11, 2011 in Columbus, Ohio. After considering comments and oral testimony, the Director's order of adoption was issued on May 2, 2011. The effective date of these rules is May 12, 2011.

To request a copy of these rules, obtain further information, or inspect or request copies of agency files and records pertaining to the proceeding contact Mr. Alan Harness, Ohio EPA, Division of Air Pollution Control, Lazarus Government Center, PO Box 1049, Columbus, Ohio 43216-1049 or call Mr. Alan Harness at (614) 644-4838. These rules are available on the Web page for electronic downloading by scrolling down to OAC Chapter 3745-21, "Carbon Monoxide, Photochemically Reactive Materials, Hydrocarbons, and related Materials Standards", OAC Chapter 3745-72 "Low Reid Vapor Pressure Fuel Requirements", and OAC Chapter 3745-110 "Nitrogen Oxides - Reasonably Available Control Technology." The URL is: <http://www.epa.ohio.gov/dapc/regs/regs.aspx>.

This action of the Director is final and may be appealed to the Environmental Review Appeals Commission (ERAC) pursuant to Ohio Revised Code Section 3745.04. The appeal must be in writing and set forth the action complained of and the grounds upon which the appeal is based. The appeal must be filed with ERAC within thirty (30) days after notice of the Director's action, at 309 South Fourth Street, Suite 222, Columbus, Ohio 43215. Copies of the appeal must be served upon the Director of the Ohio EPA within three (3) days of filing with ERAC. Ohio EPA also requests that a copy of the appeal be served upon the Environmental Enforcement Section of the Ohio Attorney General's Office.