

**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of Environmental Protection, under the authority of Ohio Revised Code Section 3704.03 has adopted amended, new, and rescinded rules 3745-71-01, 3745-71-03, 3745-71-04, 3745-71-05, 3745-71-06, 3745-18-03, and 3745-21-04 of the Ohio Administrative Code (OAC). These rules are related to the control of lead emissions from industrial sources.

The primary purpose of this rulemaking is to fulfill the requirements of Ohio Revised Code (ORC) 119.032 (5-yr review). Amendments have been made to OAC rules 3745-71-01, 3745-71-03, 3745-18-03, and 3745-21-04 primarily to make minor formatting/style changes and update and/or remove obsolete compliance dates and requirements. Additionally, OAC rules 3745-71-04, 3745-71-05, and 3745-71-06, containing facility specific rules, have been rescinded because the facility for which they were applicable has been permanently shut down.

Pursuant to Section 121.39 of the Ohio Revised Code, DAPC is required to consult with interested parties affected by the rules before the division formal adopts them. On March 16, 2011, these rules went out for a 30 day review by interested parties. Pursuant to Section 119.03 of the Ohio Revised Code, a public hearing on these rule changes was conducted on July 14, 2011 in Columbus, Ohio. There were no comments received during the comment period. The Director's order of adoption was issued on August 16, 2011. The effective date of these rules is August 26, 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 Dana Thompson, Ohio EPA, Division of Air Pollution Control, Lazarus Government Center, PO Box 1049, Columbus, Ohio 43216-1049 or call Dana Thompson at 614-644-3701. The rules are available on the Web page for electronic downloading at: <http://www.epa.ohio.gov/dapc/regs/regs.aspx#lead>.

This action of the Director is final and may be appealed to the Environmental Review Appeals Commission (ERAC) pursuant to Section 3745.04 of the Ohio Revised Code. 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. The appeal must be accompanied by a filing fee of \$70.00 which the Commission, in its discretion, may reduce if by affidavit you demonstrate that payment of the full amount of the fee would cause extreme hardship. Ohio EPA also requests that a copy of the appeal be served upon the Environmental Enforcement Section of the Ohio Attorney General's Office.