

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 3745-79-01 and 3745-79-03 of the Ohio Administrative Code ("OAC"). These rules are part of the small business technical assistance program

The primary purpose of this rulemaking was to fulfill the requirements of ORC 119.032 (5-yr review). Changes to the rules were minor, primarily to clarify information on items referenced in the chapter and to correct typos and formatting issues.

Pursuant to Section 121.39 of the Ohio Revised Code, DAPC was required to consult with interested parties affected by the rules before the division formally adopts them. On September 14, 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 January 9, 2012 in Columbus, Ohio. There were no comments received during the comment period or at the public hearing. The Director's order of adoption was issued on February 6, 2012. The effective date of these rules is **February 16, 2012**.

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 Paul Braun, Ohio EPA, Division of Air Pollution Control, Lazarus Government Center, PO Box 1049, Columbus, Ohio 43216-1049 or call Paul Braun at 614-644-3734. The rules are also available on Ohio EPA's Web page for electronic downloading at: <http://www.epa.ohio.gov/dapc/regs/regs.aspx#smallbusiness>

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 77 South High Street, 17th Floor, 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.