The Ohio EPA Division of Air Pollution Control (DAPC) has completed draft rule language for OAC Chapter 3745-110. Based on this review, the following changes to this chapter will be proposed:

1. **Minor Style and Typo Changes**: Ohio EPA is making various minor changes to correct typos and update the rule language in this chapter to meet legislative service commission (LSC) style and formatting guidelines. These changes are being made throughout the chapter, are minor in nature, and do not affect the scope or intent of the rules.

2. **Test Method, Publications, Referenced Materials**: Ohio EPA is making various minor changes to update test method, publication and referenced material titles, effective dates, addresses and web sites. These changes are being made throughout the chapter, are minor in nature, and do not affect the scope or intent of the rules.

3. **OAC rule 3745-110-01; Definitions**.

   Definition (B)(42) “Stand-by fuel burning equipment” is being amended by adding the following text to the current definition: “Stand-by fuel burning equipment includes engines that meet the definition of emergency stationary internal combustion engine under 40 CFR Part 60, Subpart IIII and 40 CFR Part 60, Subpart JJJJ or the definition of emergency stationary RICE under 40 CFR Part 63, Subpart ZZZZ.”

   This language is added to the current definition to include engines qualifying as emergency engines under federal rules. The additional language also satisfies a comment received during the early stakeholder outreach comment period.

4. **OAC rule 3745-110-02; Applicability**.

   This rule defines the NOx emission sources and the specific counties in Ohio that are subject to this rule, unless such a source meets an applicable exemption.

   Paragraph (B) has been added to this rule to clarify that if any NOx emissions source no longer meets an applicable exemption, they are now subject to the requirements of this Chapter including all compliance deadlines. This is how Ohio EPA has applied these rules in the past, so this change only clarifies the intent.

5. **OAC rule 3745-110-03; RACT requirements and/or limitations for emissions of NOx from stationary sources**.

   a. Ohio EPA is adding new site-specific rules for the following facilities:

      i. U.S. Steel (Lorain), 2199 East 28th Street, Lorain, Ohio. OAC 3745-110-03(P).

      ii. University of Akron, 145 Hill Street, Akron, Ohio 44304. OAC 3745-110-03(V).
b. Ohio EPA is deleting site-specific OAC rule 3745-110-03(U) for Emerald Performance, 240 West Emerald Avenue, Akron, Ohio. This site-specific rule is being deleted since the boiler has now been permanently shut down.

c. Ohio EPA is revising site-specific OAC rule 3745-110-03(R) for BASF Corporation. Currently, the rule contains two NOx emissions limitations for the calciners expressed in pounds/hour and parts per million (ppm). The language will be revised by deleting reference to the pounds/hour NOx emissions limitation and maintain the ppm NOx emission limitation. Two NOx emissions limitations are not needed for the calciners. A sixth calciner will be added to the rule and is identified as emissions unit P092 bringing the total to six calciners operated by the facility. Finally, site-specific language is being added that specifies the compliance methodology to be used when measuring NOx emissions from the calciners.

The proposed change to this rule satisfies a comment received during the early stakeholder outreach comment period.

d. Ohio EPA is adding a new paragraph, OAC rule 3745-110-03(H)(3), to allow for the use of a “temporary” continuous emissions monitor (CEMs) for demonstrating compliance with the applicable NOx emissions limitation.

e. The following exemptions are being revised under paragraph (K) of this rule:

i. This exemption specified in (K)(2) of this rule will be revised by deleting the word “emergency” and adding the wording “…standby engine, boiler, or turbine operated” to the end of this rule.

DAPC received a comment during the early stakeholder comment period requesting the word “emergency” be deleted from this exemption. The commenter believes that the addition of the word “emergency” in this exemption introduces uncertainty into the definition of “stand-by” which is intended to include units that operate during breakdowns and during limited periods of scheduled maintenance. The commenter recommends that the term “emergency” be removed from the exemption to avoid confusion.

DAPC agrees with the commenter in this case and will make the recommended revision.

In addition, the words “boiler, or turbine” is being added to the last sentence of this exemption in order to be consistent with the emission sources listed in the first sentence in this exemption.

ii. The exemption specified in paragraph (K)(18) of this rule will be revised by deleting reference to the Clean Air Interstate rules (CAIR), since this rule is no longer in effect, and replaced with reference to the new Cross-State Air Pollution Rule (CSAPR).
6. **OAC rule 3745-110-04; Compliance Deadlines.**

The compliance deadline language specified in paragraphs (A)(1), (A)(2), (B)(1), and (B)(2) of this rule has been amended to ensure the compliance deadlines for any new NOx emission source that may become subject to this Chapter is specified. The rule had previously been amended to identify the exact date for initial compliance deadlines based on when the rule was first promulgated.

7. **OAC rule 3745-110-05; Compliance Methods.**

   a. Paragraph (A) of this rule has been amended by incorporating the compliance demonstration language that was formerly in paragraph (C) of this rule. In addition, the compliance demonstration language that was formerly specified for a given source in paragraphs (D), (E), (F), and (G) have been moved and incorporated under paragraph (A) of this rule.

      The changes made to above referenced paragraphs do not affect the content or intent of the rule but are simply made to address formatting, and to provide better clarification of the requirements. The requirements were always applicable as part of the testing addressed under paragraph (A).

   b. Paragraph (B) of this rule has been amended by adding reference to a “permanent” CEMs, a diluent (carbon dioxide or oxygen), and by deleting the extra period at the end of this paragraph.

      The specific reference to “permanent” is being added to this paragraph since there will now be an additional compliance methodology for the use of a “temporary” CEMs as specified in paragraph (C) of this rule.

   c. Paragraph (C) of this rule has been amended by adding the compliance methodology for a source installing a “temporary” CEMs to demonstrate compliance with the applicable NOx emission limitation.

      The specific reference to “temporary” is being added to this paragraph since there will now be a specific compliance methodology for the use a temporary CEMs and the use of a permanent CEMs. With the addition of a temporary CEMs to demonstrate compliance, Ohio EPA now has three options for a regulated source to demonstrate compliance; the average of 3,1-hour stack tests, a temporary CEMs, or a permanent CEMs.

   d. Paragraph (B) of this rule is amended to add a reference to performance specification 3.

      Performance specification 3 was always a requirement and is simply being added to better clarify this requirement.