



Early Stakeholder Outreach — OAC Chapter 3745-18 – Sulfur Dioxide Regulations, 5-Year Rule Review

Ohio EPA prepares early stakeholder outreach fact sheets to ensure stakeholders are brought into the review process as early as possible and to obtain additional input and discussion before development of interested party draft rules.

What does OAC Chapter 3745-18 cover?

Chapter 3745-18 of the Ohio Administrative Code (OAC) contains the requirements for the prevention of emissions of sulfur dioxide into the atmosphere from fuel burning and process equipment. The rules are a part of Ohio's State Implementation Plan (SIP) for the attainment and maintenance of the National Ambient Air Quality Standards (NAAQS) as required by the Clean Air Act.

Why are these rules being sent out for Early Stakeholder Outreach?

The first step in the rule-making process is for Ohio EPA to identify that a rule needs to be amended, rescinded, or created. In response to EO 2011-01K, Ohio EPA has added an additional step to ensure stakeholders are brought into the rule process as early as possible. This additional interested party notification and request for information will allow for early feedback before the rule language has been developed by the Agency.

What changes are being considered?

Ohio EPA will be performing a general review of all of the rules in this chapter to fulfill the requirements of ORC 106.03 (5-year review). Ohio EPA anticipates that minor changes will be made to these rules for clarification, to correct typos and to meet state and agency formatting standards. Ohio EPA will also review facility specific information and remove facilities and emission units which are permanently shut down and are no longer in need of regulation under these rules.

Please note that on July 13, 2020 a 30-day Early Stakeholder Outreach comment period was initiated for OAC rules 3745-18-03, 3745-18-04, and 3745-18-90. The July 2020 outreach period is intended to solicit comments on the potential incorporation of sulfur dioxide emission limits for Globe Metallurgical in Washington County and the establishment of compliance time schedules and measurement methods and procedures relevant to the Globe Metallurgical emission limits. The rulemaking initiated with the July 2020 request is intended to be separate from the general 5-year review of rules in this chapter which is the subject of this request for stakeholder input.

How can I provide input?

The Agency is seeking stakeholder input on potential changes to the rules in OAC Chapter 3745-18. When preparing your comments, be sure to:

- explain your views as clearly as possible;
- describe any assumptions used;
- provide any technical information and/or data used to support your views;
- explain how you arrived at your estimate for potential burdens, benefits or costs;
- provide specific examples to illustrate your views; and
- offer alternatives.

Written comments will be accepted through close of business **Wednesday, February 3, 2021**. Please submit input to:

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What if I have questions?

These rules can be found on Ohio EPA's website for electronic downloading at: http://epa.ohio.gov/dapc/regs/3745_18 or contact Mr. Braun (information provided above).

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Who will be regulated by these rules?

The rules in OAC Chapter 3745-18 are applicable to sources which emit sulfur dioxide including, but not limited to; fuel burning equipment, stationary engines, and process equipment.

What is the rulemaking schedule?

Upon completion of the Early Stakeholder Outreach portion of this rulemaking, Ohio EPA will make any changes necessary to the rule language and make a draft of the rule language available to the public for a minimum 30-day review.

What input is the Agency seeking?

The following questions may help guide you as you develop your comments.

- Is the general regulatory framework proposed the most appropriate? Should the Agency consider any alternative framework?
- What options are available for improving an identified concept? What options are available for improving the existing rules?
- Are there considerations the Agency should take into account when updating the existing rules? Are there considerations the Agency should take into account when developing a specific concept?
- Is there any information or data the Agency should be aware of when developing program concepts or rule language?

Contact

For more information, contact Paul Braun paul.braun@epa.ohio.gov or (614) 644-3734.