

**NOTICE OF ADOPTION OF RULES  
OHIO ENVIRONMENTAL PROTECTION AGENCY  
OHIO ADMINISTRATIVE CODE CHAPTER 3745-110 "NITROGEN OXIDES – REASONABLY  
AVAILABLE CONTROL TECHNOLOGY"**

Notice is hereby given that the Director of the Ohio Environmental Protection Agency (Ohio EPA) has adopted amended rules contained in Ohio Administrative Code (OAC) Chapter 3745-110 "Nitrogen Oxides – Reasonably Available Control Technology".

The rules in OAC Chapter 3745-110 are intended to assist Ohio in attaining and maintaining the national ambient air quality standard (NAAQS) for ozone by limiting the emissions of Nitrogen Oxides (NOx) from stationary industrial sources such as, but not limited to, boilers, combustion turbines and internal combustion engines. NOx emissions are a pollutant that leads to the formation of ozone. The purpose of this rulemaking was to adopt mandatory Reasonably Available Control Technology (RACT) requirements for the Cincinnati and Cleveland 2015 ozone nonattainment areas. Ohio EPA is also amending these rules to address minor changes needed for clarification and Legislative Service Commission (LSC) formatting protocol.

The Director's order of adoption was issued on March 15, 2022. These amended rules will become effective on **March 25, 2022**.

Copies of the new and amended rules can be found on Ohio EPA's website at:  
<https://epa.ohio.gov/dapc/DAPCrules>

The Director's action in this matter is pursuant to the procedural requirements of Ohio Revised Code Chapter 119 and is based upon the record of the 30-day draft comment period ending June 22, 2021, the proposal comment period ending January 3, 2022 and the public hearing conducted by Ohio EPA on January 3, 2022, as well as comments received during the draft public comment period.

You are hereby notified that this action of the Director is final and may be appealed to the Environmental Review Appeals Commission 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 the Commission within thirty (30) days after notice of the Director's action. The appeal must be accompanied by a filing fee of \$70.00, made payable to "Treasurer, State of Ohio," 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. Notice of the filing of the appeal shall be filed with the Director within three (3) days of filing with the Commission. Ohio EPA requests that a copy of the appeal be served upon the Ohio Attorney General's Office, Environmental Enforcement Section. An appeal may be filed with the Environmental Review Appeals Commission at the following address:

Environmental Review Appeals Commission  
30 East Broad St., 4<sup>th</sup> Floor  
Columbus, Ohio 43215