

RULE SYNOPSIS

Review of Ohio Administrative Code Chapter 3745-15

“General Provisions on Air Pollution Control”, Rule 3745-14-11 “Portland cement kilns”, and Rule 3745-17-07 “Control of visible particulate emissions from stationary sources”

The Ohio Environmental Protection Agency (Ohio EPA), Division of Air Pollution Control has completed a review of the rules in Ohio Administrative Code (OAC) Chapter 3745-15, OAC rule 3745-14-11, and OAC rule 3745-17-07. OAC Chapter 3745-15 is related to regulations for the general provisions on Air Pollution Control. The agency has determined that these rules are necessary and need to remain in force with some amendments.

Ohio EPA determined that amendments were required to OAC Rules 3745-15-01, 3745-15-03, 3745-15-05, 3745-15-06, 3745-14-11, and 3745-17-07. Amendments to these rules are identified below.

Ohio EPA is making amendments to OAC Chapter 3745-15 to incorporate revisions to add clarification to the general provisions on Air Pollution Control that are discussed in more detail below. Ohio EPA is also making amendments to two associated rules: OAC Rule 3745-14-11, Portland cement kilns, and Rule 3745-17-07, for control of visible particulate emissions from stationary sources.

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. Additionally, the rules have been reviewed to consolidate and remove unnecessary restriction language. These changes are being made throughout the chapter as needed, are minor in nature, and do not affect the scope or intent of the rules.

Pursuant to Part D of Title I of the Clean Air Act, Ohio EPA is required to establish a state implementation plan (SIP) for the attainment and maintenance of the National Ambient Air Quality Standards (NAAQS). These rules are a part of Ohio’s SIP and the proposed amendments will be submitted to US EPA as a modification of the SIP with the exception of OAC rule 3745-15-06(A)(3) and 3745-15-06(C).

The following rule specific changes are also being made in this rulemaking:

OAC rule 3745-15-01: “Definitions”: Ohio EPA is adding definitions for the terms “Malfunction,” “NAAQS,” and “PSD”.

OAC rule 3745-15-03: “Submission of emission information”: Updates were made to references within OAC 3745-15-03(C)(3) and OAC 3745-15-03(D)(3) and a correction of a typographical error in OAC 3745-15-03(D)(1)(b). The rule was also reviewed to remove unnecessary restriction language.

OAC rule 3745-15-05: “De Minimis” air contaminant source exemption: Updates to the language were made in OAC rule 3745-15-05(E) and the rule was also reviewed to remove unnecessary restriction language.

OAC rule 3745-15-06: “Malfunction of equipment; scheduled maintenance; reporting”: Updates have been made regarding the procedures with which facilities are to notify the agency of malfunction events. After-hours notification is now to be made to the Ohio EPA Emergency Response Spill Hotline to ensure receipt of the notification. Additionally, written notification will now be required if a malfunction event lasts longer than twenty-four hours, as opposed to the previous requirement of seventy-two hours. Ohio EPA has added more detailed information on information required in the notification itself which is to be submitted within one week of the event rather than two.

OAC rule 3745-14-11: “Portland cement kilns”: Ohio EPA has removed language that references OAC rule 3745-15-06.

OAC rule 3745-17-07: Control of visible particulate emissions from stationary sources: Ohio EPA has removed language that references OAC rule 3745-15-06.