

Public Notice
Ohio Environmental Protection Agency
Draft State Implementation Plan (SIP)
Removal of Ohio Air Nuisance Rule

Notice is hereby given that the Director of the Ohio Environmental Protection Agency is submitting to the United States Environmental Protection Agency (U.S. EPA) a SIP revision requesting U.S. EPA amend Ohio's approved State Implementation Plan (SIP) to remove Ohio EPA's Air Nuisance Rule (ANR) (OAC rule 3745-15-07). This action is being taken as a result of Ohio HB 96 under the 136th Ohio General Assembly that requires Ohio EPA to request removal of the ANR as part of the SIP. As described in more detail in the supplemental documents, the ANR is not used to comply with the National Ambient Air Quality Standards (NAAQS). This action will only remove the Ohio ANR from federal enforceability. Ohio EPA intends to maintain the ANR as part of state regulations and, therefore, enforceability by Ohio EPA.

Whenever U.S. EPA adopts a new or revised NAAQS states are required to take a series of actions under the Clean Air Act (CAA). These actions must be completed by states in order for states to obtain an approved SIP for a specific NAAQS. U.S. EPA does not require or specify that states adopt an ANR in order to approve a SIP for NAAQS compliance or for any other requirement under the CAA.

This SIP includes a CAA Section 110(l) demonstration. CAA Section 110(l) provides that U.S. EPA cannot approve a SIP revision if the revision would interfere with any applicable requirement concerning attainment or reasonable further progress of a NAAQS. States are obliged to provide this demonstration to show that such modification will not interfere were aforementioned requirements. The Ohio ANR has not been used as part of any demonstration for attainment and maintenance of the NAAQS, or for reasonable further progress. Further the legislation prohibits the ANR from being used for attainment and maintenance of the NAAQS. Therefore, removal of Ohio's ANR from the SIP meets the CAA Section 110(l) requirements.

These actions must be noticed to allow public comment and to satisfy U.S. EPA requirements for public involvement in SIP related activities. This notice addresses Ohio EPA's request to remove the Ohio ANR as part of the SIP. Written comments will be received on or before September 22, 2025, at the following address:

E-mail: DAPC-Comments@epa.ohio.gov

Mailing address: Ohio Environmental Protection Agency, DAPC Lazarus Government Center
ANR Comments
P.O. Box 1049
Columbus, Ohio 43216-1049

Ohio EPA will hold an in-person and virtual public hearing on the proposed SIP revision on September 15, 2025, from 12:30 PM-3:00 PM at the ODOT facility, 1980 West Broad Street, Columbus, Ohio 43223.

During the hearing, the public may submit written comments on the record about the proposed SIP revision if participating virtually and verbally if participating in person.

Citizens who want to participate virtually must register in advance for the meeting at: <https://events.gcc.teams.microsoft.com/event/98867cca-28ae-4408-a14d-46218dcbc841@50f8fcc4-94d8-4f07-84eb-36ed57c7c8a2>

Registration for the in-person hearing is not required. Citizens intending to give testimony at the hearing should notify the Ohio EPA Communications and Outreach Office, P.O. Box 1049, Columbus, Ohio 43216-1049, (614) 644-2160 or by emailing mary.mccarron@epa.ohio.gov. Prior registration will ensure that registrants are heard ahead of those individuals who register at the hearing. Oral testimony may be limited to five minutes, depending on the number of persons testifying. All interested persons are entitled to attend or be represented and to present oral and/or written comments concerning the proposed SIP revision.

All oral comments presented at any hearing, and all written statements submitted at any hearing or to the above address by the close of business on September 22, 2025, will be considered by Ohio EPA prior to taking final action. Written statements submitted after September 22, 2025, may be considered as time and circumstances permit but will not be part of the official record.

This draft SIP revision is available on Ohio EPA DAPC's webpage for electronic download at: <https://epa.ohio.gov/divisions-and-offices/air-pollution-control/state-implementation-plans/division-of-air-pollution-control-sip-misc>. Questions regarding accessing the webpage or other questions or comments about this document should be directed to Jennifer Van Vlerah at (614) 644-3696.