



Ohio Administrative Code Rule 3745-110-02 Applicability.

Effective: August 1, 2025

[Comment: For dates of non-regulatory government publications, publications of recognized organizations and associations, federal rules, and federal statutory provisions referenced in this rule, see paragraph (AA) of rule 3745-110-01 of the Administrative Code titled "Referenced materials."]

(A) Unless exempted under paragraph (K) of rule 3745-110-03 of the Administrative Code, the requirements of this chapter apply to any stationary source of NO_x emissions that meets one of the following conditions:

(1) Applicability for sources located in the Cleveland and Cincinnati areas.

(a) The source is, as defined in rule 3745-110-01 of the Administrative Code, a very large boiler, large boiler, mid-size boiler, small boiler, stationary combustion turbine, stationary internal combustion engine, or reheat furnace, or the source is located at a facility that emits or has the potential to emit a total of one hundred tons per year or more of NO_x emissions from all sources at that facility, including all sources that are exempt under rule 3745-110-03 of the Administrative Code and meets one of the following:

(i) The source is located in Ashtabula, Cuyahoga, Geauga, Lake, Lorain, Medina, Portage, or Summit county as of December 22, 2007, or the date of initial startup of the source, whichever is later.

(ii) The source is located in Butler, Clermont, Hamilton or Warren county as of March 25, 2022, or the date of the initial startup of the source, whichever is later.

(b) The source is located at a facility that emits or has the potential to emit a total of fifty tons per year or more, but less than one hundred tons per year, of NO_x emissions from all sources at that facility, including all sources that are exempt under rule 3745-110-03 of the Administrative Code, and is located in Cuyahoga, Geauga, Lake, Lorain, Medina, Portage, or Summit county as of April 1,



2025 or the date of initial startup of the source, whichever is later.

(2) Applicability for sources located outside the Cleveland or Cincinnati areas.

(a) The source is, as defined in rule 3745-110-01 of the Administrative Code, a very large boiler, large boiler, mid-size boiler, small boiler, stationary combustion turbine, stationary internal combustion engine, or reheat furnace.

(b) Except where the emissions limitations and requirements of an applicable new source performance standard under 40 CFR Part 60 are more stringent than the emissions limitations and requirements of this chapter, any new or modified source issued a permit-to-install after January 1, 2008, shall comply with the requirements of this chapter in effect at the time the source becomes subject to this chapter. For the purposes of this chapter, modified source is as defined in rule 3745-31-01 of the Administrative Code.

[Comment: If a new source performance standard is determined to be more stringent than the requirements of this chapter at the time the source becomes subject to this chapter, the new source described under this paragraph is subject to the new source performance standards in lieu of the requirements of this chapter].

(B) Any owner or operator of a stationary source of NO_x emissions that no longer meets an applicable exemption under paragraph (K) of rule 3745-110-03 of the Administrative Code immediately becomes subject to the provisions of this chapter.