



## Ohio Revised Code

### Section 3704.0310

Effective: September 30, 2025

Legislation: House Bill 96

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(A) As used in this section:

(1) "Air nuisance rule" means a rule adopted by the director of environmental protection that declares any of the following to be a public nuisance:

(a) The emission or escape into the open air from any source or sources whatsoever, of smoke, ashes, dust, dirt, grime, acids, fumes, gases, vapors, or any other substances or combinations of substances, in such manner or in such amounts as to endanger the health, safety, or welfare of the public, or cause unreasonable injury or damage to property;

(b) The emission or escape into the open air from any source or sources of odors whatsoever that is subject to regulation under Chapter 3704. of the Revised Code and is operated in such a manner to emit such amounts of odor as to endanger the health, safety, or welfare of the public, or cause unreasonable injury or damage to property;

(c) Activities that are substantially similar to those described in divisions (A)(1)(a) and (b) of this section.

(2) "State implementation plan" means the state implementation plan regarding national ambient air quality standards required to be submitted under section 110 of the "Clean Air Act," 42 U.S.C. 7410.

(B) If the state implementation plan includes an air nuisance rule, the director of environmental protection shall remove the air nuisance rule from the plan and take such steps as are necessary to do so.

On and after the effective date of this section, the director shall not include an air nuisance rule in the state implementation plan or rely upon an air nuisance rule to implement or enforce ambient air quality standards adopted pursuant to the federal Clean Air Act.



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