



State of Ohio Environmental Protection Agency

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MAR 17 2009

Ms. Lynn Buhl
Regional Administrator
U.S. EPA, Region 5
77 West Jackson Blvd. R-19J
Chicago, Illinois 60604-3507

RE: Petition for NO_x reasonably available control technology (RACT) exemption in the Cleveland-Akron-Lorain 8-hour ozone area

Dear Ms. Buhl:

Section 182(f) of the Clean Air Act (CAA) requires States to apply the same requirements to major stationary sources of NO_x as are applied to major stationary sources of volatile organic compounds (VOC). U.S. EPA's January, 2005 "Guidance on Limiting Nitrogen Oxides (NO_x) Requirements Related to 8-Hour Ozone Implementation" provides that these requirements include RACT and new source review (NSR) for the affected sources. Section 182(f) also provides for an "exemption" under certain circumstances. Specifically, under Section 4.3 of the above-referenced guidance document, an exemption may be requested for areas monitoring attainment. This petition constitutes Ohio EPA's request for an exemption from the Section 182(f) NO_x requirements in the Cleveland-Akron-Lorain 8-hour ozone area. The following facts support this petition:

1. In conjunction with this petition, Ohio EPA has submitted a redesignation request for the Cleveland-Akron-Lorain moderate nonattainment area for the 1997 8-hour ozone standard. Based on quality-assured 2006 to 2008 air quality data, this area is attaining the 1997 8-hour standard.
2. Effective December 22, 2007, Ohio EPA implemented NO_x RACT rules¹. Ohio's rules have compliance dates of December 22, 2009 and December 22, 2010. These rules were submitted to U.S. EPA for consideration as a revision to the SIP on January 10, 2008.
3. Over the three-year period where adequate monitoring data support attainment of this area, the NO_x RACT emissions reduction requirements were not yet implemented in the area.

¹ http://www.epa.state.oh.us/dapc/regs/3745-110/3745_110.html

Ted Strickland, Governor
Lee Fisher, Lieutenant Governor
Chris Korleski, Director



Per U.S. EPA's guidance, since attainment already occurred, in the absence of NOx RACT emission reductions, additional NOx reductions could not improve the area's attainment status; therefore, the NOx exemption request could be approved for the 1997 8-hour standard.

Ohio EPA acknowledges that this approval is contingent upon the area continuing to demonstrate attainment through monitoring data. Ohio EPA commits to continuing to monitor air quality in accordance with 40 CFR Part 58, to verify the attainment status of this area.

Ohio EPA requests that you process this petition as expeditiously as possible to allow for the redesignation request for this area to proceed. All necessary supporting materials, including air quality monitoring data, are contained within the redesignation request.

If you have any questions concerning this petition, please contact Jennifer Hunter of the Division of Air Pollution Control at (614) 644-3696.

Sincerely,

A handwritten signature in black ink, appearing to read "Chris Korleski". The signature is fluid and cursive, with the first name "Chris" written in a larger, more prominent script than the last name "Korleski".

Chris Korleski
Director

xc: Bob Hodanbosi, Ohio EPA
Jennifer Hunter, Ohio EPA
John Summerhays, U.S. EPA