

3745-103-14 **Acid rain permit appeal procedures.**

[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 (C) of rule 3745-103-01 of the Administrative Code titled "Referenced materials."]

- (A) The USEPA may intervene as a matter of right in any administrative appeal of an acid rain permit or denial of an acid rain permit.

- (B) No administrative appeal concerning an acid rain requirement shall result in a stay of the following requirements:
 - (1) The allowance allocations for any year during which the appeal proceeding is pending or is being conducted;
 - (2) Any standard requirement under rule 3745-103-05 of the Administrative Code;
 - (3) The emissions monitoring and reporting requirements applicable to the affected units at an affected source under 40 CFR Part 75;
 - (4) Uncontested provisions of the decision on appeal; and
 - (5) The terms of a certificate of representation submitted by a designated representative under 40 CFR Part 72, Subpart B.

Effective: 11/10/2011

R.C. 119.032 review dates: 08/24/2011 and 08/24/2016

CERTIFIED ELECTRONICALLY
Certification

10/31/2011
Date

Promulgated Under: 119.03
Statutory Authority: 3704.03(E)
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