

**3745-111-01 Definitions.**

[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 (K) of this rule titled "referenced materials.".]

- (A) Except as otherwise provided in this rule, the definitions in rule 3745-31-01 of the Administrative Code shall apply to this chapter.
- (B) "Emission reduction credit" or "ERC" means a surplus, quantifiable and permanent unit of reduction in actual emissions from an air contaminant source, as defined in rule 3745-31-01 of the Administrative Code, which is expressed in tons of pollutant per year, and that is federally enforceable no later than at the time of use.
- (C) "Ohio EPA" means the Ohio environmental protection agency.
- (D) "Permanent" means that emission reductions used to offset emission increases are assured for the life of the corresponding increase through a federally enforceable mechanism, regardless of whether the corresponding increase is limited or unlimited in duration.
- (E) "Quantifiable" means that the amount, rate and characteristics of emissions and emission reductions can be determined or measured through a reliable and replicable method established by an applicable law or approved by the director.
- (F) "Reasonable further progress" or "RFP" means any incremental emission reductions required to fulfill the requirements of paragraphs (b)(1)(A) and (c)(2)(B) of Section 182 of the Clean Air Act or specified in the Ohio state implementation plan.
- (G) "Surplus" means emission reductions made below an applicable source baseline which are below allowable emission rates and are not relied upon in the Ohio state implementation plan or required attainment demonstration of the national ambient air quality standards and have not been required by any applicable laws. Emission reductions can be used for offsets or ERCs to the extent allowed under federal law.
- (H) "Un-verified ERC" means an owner or operator has identified an emission reduction that may be surplus, quantifiable and permanent but the emission reduction has not been verified and deemed creditable by the Ohio EPA in accordance with this chapter and can not be transferred or used when participating in the banking program until it becomes a verified ERC.
- (I) "Verified" means the Ohio EPA has reviewed the information supplied by the owner or operator in accordance with this chapter to ensure the emission reductions are creditable as permanent, surplus and quantifiable ERCs and are approvable for transfer or use at the time of verification.

- (J) "Verified ERC" means an emission reduction that is surplus, quantifiable and permanent as verified by the Ohio EPA in accordance with this chapter.
- (K) Referenced materials. This chapter includes references to certain subject matter or materials. The text of the referenced materials is not included in the rules contained in this chapter. Information on the availability of the referenced materials as well as the date of, and the particular edition or version of the material is included in this rule. For materials subject to change, only the specific versions specified in this rule are referenced. Unless otherwise noted, material is referenced as it exists on the effective date of this rule. Except for subsequent annual publication of existing (unmodified) Code of Federal Regulation compilations, any amendment or revision to a referenced document is not applicable unless and until this rule has been amended to specify the new dates.

(1) Availability. The referenced materials are available as follows:

- (a) Clean Air Act and all sections thereof; information and copies may be obtained by writing to: "Superintendent of Documents, Attn: New Orders, PO Box 371954, Pittsburgh, PA 15250-7954." The full text of the Act as amended in 1990 is also available in electronic format at [www.epa.gov/oar/caa/](http://www.epa.gov/oar/caa/). A copy of the Act is also available for inspection and use at most public libraries and "The State Library of Ohio."
- (b) Code of Federal Regulations (CFR). Information and copies may be obtained by writing to: "Superintendent of Documents, Attention: New Orders, PO Box 371954, Pittsburgh, PA 15250-7954." The full text of the CFR is also available in electronic format at <http://www.gpo.gov/fdsys/>. The CFR compilations are also available for inspection and use at most public libraries and "The State Library of Ohio."
- (c) United States Code (USC). Information and copies may be obtained by writing to: "Superintendent of Documents, Attn: New Orders, PO Box 371954, Pittsburgh, PA 15250-7954." The full text of the United States Code is also available in electronic format at <http://www.gpo.gov/fdsys/>. The USC compilations are also available for inspection and use at most public libraries and "The State Library of Ohio."

(2) Referenced materials.

- (a) 40 CFR 81.336; "Designation of Area for Air Quality Planning Purposes-Ohio;" as published in the July 1, 2014 Code of Federal Regulations.
- (b) 40 CFR Part 51; "Requirements for preparation, adoption, and submittal of implementation plans;" as published in the July 1, 2014 Code of Federal Regulations.
- (c) 40 CFR Part 51, Appendix S; "Emission Offset Interpretative Ruling;" as published in the July 1, 2014 Code of Federal Regulations.

- (d) 40 CFR Part 52; "Approval and promulgation of implementation plans;" as published in the July 1, 2014 Code of Federal Regulations.
- (e) Clean Air Act; contained in 42 USC 7401 to 7671q; "The Public Health and Welfare-Air Pollution Prevention and Control;" published May 7, 2014 in the 2012 Edition of the United States Code.
- (f) Section 173 of the Clean Air Act; contained in 42 USC 7503; "Permit requirements;" published May 7, 2014 in the 2012 Edition of the United States Code.
- (g) Section 182 of the Clean Air Act; contained in 42 USC 7511a; "Plan submissions and requirements;" published May 7, 2014 in the 2012 Edition of the United States Code.
- (h) Title IV of the Clean Air Act; contained in 42 USC 7651 to 7651o; "Acid Deposition Control;" published May 7, 2014 in the 2012 Edition of the United States Code.

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