

TO BE RESCINDED

3745-35-01 **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 the "Incorporation by Reference" paragraph at the end of this rule.]

(A) Except as otherwise provided in paragraph (B) of this rule, the definitions in rule 3745-15-01 of the Administrative Code shall apply to this chapter.

(B) The following definitions shall apply exclusively to this chapter:

- (1) "Acid rain program" means the program contained within Title IV of the Clean Air Act.
- (2) "Administrative modification(s)" means a change to a permit-to-operate that does not meet the definition of a modification under rule 3745-31-01 of the Administrative Code.
- (3) "Affected sources" shall have the meaning given to it in the regulations promulgated under Title IV of the Clean Air Act.
- (4) "Air contaminant source" means each separate operation, or activity that results or may result in the emission of any air contaminant. This definition applies to operations or activities that emit air contaminants, whether regulated under Ohio law or regulated under the Clean Air Act.
- (5) "Applicable laws" means any applicable provisions of: Chapters 3704. and 3745. of the Revised Code, as amended; rules and orders of the Ohio environmental protection agency; the Clean Air Act, as amended; rules and regulations of the administrator of the United States environmental protection agency.
- (6) "Clean Air Act" means the federal Clean Air Act as amended November 15, 1990; 42 USC 7401 to 7671q.
- (7) "General permit" shall mean a general permit-to-operate.
- (8) "General permit-to operate" means a permit-to-operate issued under rule 3745-35-08 of the Administrative Code.

- (9) "Model general permit" means a document that the director has developed that includes a definition of a category of air contaminant source, a description of the qualifications that must be met for that category of source and model terms and conditions that will be issued as a general permit for any qualified air contaminant source.
- (10) "Title I modification" shall mean any modification under Sections 111 and 112 of the Clean Air Act and any major modification under Parts C or D of Title I of the Clean Air Act.
- (C) Incorporation by reference. This chapter includes references to certain matter or materials. The text of the incorporated materials is not included in the regulations contained in this chapter. The materials are hereby made a part of the regulations in this chapter. For materials subject to change, only the specific version specified in the regulation are incorporated. Material is incorporated 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 incorporated unless and until this rule has been amended to specify the new dates.
- (1) Availability. The materials incorporated by reference are available as follows:
- (a) Clean Air Act. 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/. A copy of the Act is also available for inspection and copying at most public libraries and "The State Library of Ohio."
- (b) Code of Federal Regulations. 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 CFR is also available in electronic format at <http://www.gpoaccess.gov/cfr/index.html>. The CFR compilations are also available for inspection and copying at most public libraries and "The State Library of Ohio."
- (c) United States Code. 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://www4.law.cornell.edu/uscode/>. The U.S.C compilations are also

available for inspection and copying at most public libraries and "The State Library of Ohio."

(2) Incorporated materials:

- (a) 40 CFR Part 51; "Requirements for preparation, adoption, and submittal of implementation plans;" as published in the July 1, 2005 Code of Federal Regulations.
- (b) 40 CFR Part 51, Appendix M; "Recommended Test Methods for State Implementation Plans;" 36 FR 22398, Nov. 25, 1971; 55 FR 14249, Apr. 17, 1990; 55 FR 24687, June 18, 1990, as amended at 55 FR 37606, Sept. 12, 1990; 56 FR 6278, Feb. 15, 1991; 56 FR 65435, Dec. 17, 1991; 60 FR 28054, May 30, 1995; 62 FR 32502, June 16, 1997.
- (c) 40 CFR Part 52; "Approval and promulgation of implementation plans;" as published in the July 1, 2005 Code of Federal Regulations.
- (d) 40 CFR Part 60, Appendix A; "Test Methods - Standards of Performance for New Stationary Sources;" as published in the July 1, 2005 Code of Federal Regulations
- (e) 42 USC 7401 to 7671q; "The Public Health and Welfare-Air Pollution Prevention and Control;" published January 19, 2004 in Supplement III of the 2000 Edition of the United States Code; as amended January 23, 2004, Pub. L. 108-199, sec. 425(a) and sec. 428(b), 118 Stat. 417-418.
- (f) 42 USC 7410; "State implementation plans for national primary and secondary ambient air quality standards;" published January 19, 2004 in Supplement III of the 2000 Edition of the United States Code.
- (g) National emission standards for hazardous air pollutants; contained in 40 CFR Part 61; "National emission standards for hazardous air pollutants;" as published in the July 1, 2005 Code of Federal Regulations.
- (h) Part C of Title I of the Clean Air Act; contained in 42 USC 7470 to 7492; "Prevention of Significant Deterioration of Air Quality;" published January 19, 2004 in Supplement III of the 2000 Edition of the United States Code.
- (i) Part D of Title I of the Clean Air Act; contained in 42 USC 7501 to 7515;

"Plan Requirements for Nonattainment Areas;" published January 19, 2004 in Supplement III of the 2000 Edition of the United States Code.

- (j) Section 110 of the Clean Air Act; contained in 42 USC 7410; "State implementation plans for national primary and secondary ambient air quality standards;" published January 19, 2004 in Supplement III of the 2000 Edition of the United States Code.
- (k) Section 111 of the Clean Air Act; contained in 42 USC 7411; "Standards of performance for new stationary sources;" published January 19, 2004 in Supplement III of the 2000 Edition of the United States Code.
- (l) Section 112 of the Clean Air Act; contained in 42 USC 7412; "Hazardous Air Pollutants;" published January 19, 2004 in Supplement III of the 2000 Edition of the United States Code.
- (m) Section 112(l) of the Clean Air Act; contained in 42 USC 7412; "Hazardous Air Pollutants;" published January 19, 2004 in Supplement III of the 2000 Edition of the United States Code.
- (n) Title IV of the Clean Air Act; contained in 42 USC 7651 to 7651o; "Acid Deposition Control;" published January 19, 2004 in Supplement III of the 2000 Edition of the United States Code.

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