



REGIONAL AIR POLLUTION CONTROL AGENCY

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September 14, 2010

Mr. Paul Braun
Division of Air Pollution Control
Ohio EPA
P.O. Box 1049
Columbus, Ohio 43216-1049

Re: Ohio EPA Proposal to Align State Rules with USEPA's Tailoring Rule

Dear Mr. Braun:

This letter is written in support of the Ohio plan to adopt definitions and rules to align state rules with USEPA's Tailoring Rule. I have followed this rule development, both at the state and national level, through my work as the New Source Review Committee co-chair for the National Association of Clean Air Agencies (NACAA) and as a member of the Clean Air Act Advisory Committee's (CAAAC) Green House Gas Best Available Control Technology (GHG BACT) workgroup.

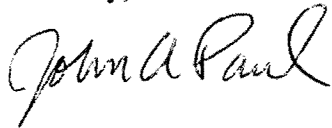
Through a series of court decisions, policy decisions, and national rulemakings, GHGs will officially be "subject to regulation" under the Clean Air Act's Prevention of Significant Deterioration and Title V rules as of January 2, 2011. Alignment of Ohio rules with USEPA's Tailoring Rule will refine the applicability of these rules to sources of CO₂e at emissions levels of 75,000 and 100,000 TPY, rather than the 100/250 TPY levels specified in the Act. The higher levels of applicability will tailor the program to one which is manageable, and assure that permits for new sources will be processed at the state and not at the federal level.

I am very concerned with recent letters from the Ohio Coal Association and a coalition of Ohio industry groups. Each of these letters are urging Ohio not to adopt the Tailoring Rule definitions. In my view such an action (to not adopt the rule) would create a chaotic situation for Ohio permitting. Lacking an approved plan from Ohio, USEPA would likely issue a State Implementation Plan (SIP) call, and promulgate a Federal Implementation Plan (FIP), which

would then mean that Ohio industries would have to apply to USEPA for the GHG portions of any PSD permit. Ohio industry is much better served by having Ohio EPA remain the permitting authority for an entire permit.

Ohio EPA has proposed the logical approach to GHG regulation under the PSD and Title V programs as of January 2, 2011. Adoption of the Tailoring Rule definitions will assure that permit decisions and processing remains at the state level. Please let me know if there is anything I can do in further support for the adoption of this proposal.

Sincerely,

A handwritten signature in black ink that reads "John A. Paul". The signature is written in a cursive, flowing style.

John A. Paul
Administrator

Cc: Bob Hodanbosi, DAPC Air Chief
Chris Korleski, Director Ohio EPA
The Honorable Ted Strickland, Governor of Ohio