



## Ohio Administrative Code

### Rule 3745-16-02 Good engineering practice stack height requirements.

Effective: January 2, 2007

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[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 last paragraph of rule 3745-16-01 of the Administrative Code titled "Incorporation by reference."]

(A) The requirements of this rule shall apply to all new and existing air contaminant sources except:

(1) Stack heights in existence, or dispersion techniques implemented on or before December 31, 1970, except where pollutants are being emitted from such stacks or using such dispersion techniques by sources, as defined in Section 111(a)(3) of the Clean Air Act, which were constructed or reconstructed, or for which major modifications, as defined in 40 CFR 51.165(a)(1)(v)(A), 51.166(b)(2)(i) and 52.21(b)(2)(i), were carried out after December 31, 1970; or

(2) Coal-fired steam electric generating units subject to the provisions of Section 118 of the Clean Air Act, which commenced operation before July 1, 1957, and having stacks constructed under a construction contract awarded before February 8, 1974.

(B) Except as otherwise provided in paragraph (A) of this rule, any emission limitation imposed upon any source must not be affected by so much of any source's stack height that exceeds good engineering practice, nor by any other dispersion technique.

(C) Before adopting a new or revised emission limitation that is based on a good engineering practice stack height that exceeds the height allowed by paragraph (F)(1) or (F)(2) of rule 3745-16-01 of the Administrative Code, the director shall provide public notice of the availability of the demonstration study and shall provide an opportunity for a public hearing on it.

(D) This chapter of the Administrative Code does not authorize the director to order the reduction of the actual stack height of any source.