



Ohio Administrative Code

Rule 3745-31-15 Attainment provisions - control technology review.

Effective: [March 11, 2023](#)

[Comment: For dates and availability of non-regulatory government publications, publications of recognized organizations and associations, federal rules, and federal statutory provisions referenced in this rule, see paragraph (AA) of rule 3745-31-01 of the Administrative Code titled, "referenced materials."]

(A) Applicability.

This rule applies to any major stationary source or major modification that is to be constructed in an area designated in 40 CFR 81.336 as attainment for an air pollutant for which the major stationary source or major modification is major.

(B) A major stationary source or major modification shall meet each applicable emission limitation under the Ohio state implementation plan and each applicable emission standard and standard of performance under 40 CFR parts 60, 61 and 63.

(C) The owner or operator of a new major stationary source shall apply BACT to the major stationary source for each regulated NSR pollutant that the major stationary source would have the potential to emit in significant amounts.

(D) A major modification shall apply BACT for each regulated NSR pollutant that would be a significant net emissions increase at the stationary source. This requirement applies to each proposed emissions unit at which a net emissions increase in the air pollutant would occur as a result of a physical change or change in the method of operation in the emissions unit.

(E) For phased construction NSR projects, the determination of BACT shall be reviewed and modified as appropriate no more than eighteen months prior to commencement of construction of each independent phase of the NSR project. At such time, the owner or operator of the stationary source may be required to demonstrate the adequacy of any previous determination of BACT for the



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stationary source.