



**Attorney General  
Betty D. Montgomery**

May 10, 1999

Mr. Francis X. Lyons  
Regional Administrator  
U.S. EPA Region 5  
77 West Jackson Blvd. (R-19J)  
Chicago, Illinois 60604

Dear Mr. Lyons:

I hereby certify pursuant to and in accordance with Section 112(l) of the Clean Air Act, as amended, and 40 CFR Part 63 that in my opinion the laws of Ohio provide the necessary legal authority to implement and enforce the Maximum Achievable Control Technology (MACT) standards of Section 112(d), and to assure compliance by all sources within Ohio with each applicable Section 112 rule, emission standard or equivalent. At a minimum, the laws of the State of Ohio, including but not limited to R.C. Chapters 3704 and 3745 and rules adopted thereunder, provide adequate legal authority to (1) enforce compliance with all Section 112(d) rules, emission standards or equivalents through Ohio's approved new source review, state operating permit and Title V permit programs, (2) request information from regulated sources regarding their compliance status with Section 112(d), and (3) inspect sources and any records required to determine a source's compliance status with Section 112(d).

I hereby certify, to the best of my knowledge, that the application submitted by Ohio EPA is legally accurate. The specific authorities provided are contained in statutes or regulations which are in full force and effect at this time.

Respectfully submitted,

**BETTY D. MONTGOMERY  
ATTORNEY GENERAL OF OHIO**

By:

  
Bryan Zima, Acting Chief  
Environmental Enforcement Section

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