



State of Ohio Environmental Protection Agency

P.O. Box 163669, 1800 WaterMark Dr.  
Columbus, Ohio 43216-3669  
(614) 644-3020  
FAX (614) 644-2329

RECEIVED

George V. Voinovich  
Governor

APR 11 1995

AIR TOXICS AND RADIATION  
SEARCH  
U.S. EPA REGION V

March 31, 1995

**David Kee, Director**  
Air and Radiation Division  
U.S. EPA Region V  
77 West Jackson Blvd., A-18J  
Chicago, Illinois 60604-3590

Dear Mr. Kee:

The purpose of this letter is to establish an understanding concerning the method by which the State of Ohio will obtain delegation of authority to implement present and future 1990 Clean Air Act Section 112 air toxics standards. The Ohio EPA commits to requesting delegation, and to begin implementation of present and future Section 112 air toxics standards, including the Part 63 general provisions, promulgated by the United States Environmental Protection Agency pursuant to the 1990 Clean Air Act Amendments. The State of Ohio also commits to initiation of requesting delegation for the early reductions program as per Section 112(i)(5) of the CAA. This delegation will be accomplished through the automatic delegation mechanism, and will grant the State of Ohio the authority to implement and enforce, through the mechanism of the issuance of operating permits, standards that are unchanged from the final rule. Automatic delegation for Part 70 sources will be accomplished through the Title V Federal Register notice scheduled for publication in October 1995.

The State of Ohio will assume responsibility for record-keeping, notification, reporting requirements, general program implementation, and enforcement through referrals to the U.S. EPA. The Ohio EPA commits to request official delegation for the programs stated above as expeditiously as possible, with the submittal of an initial draft delegation packet to be submitted to U.S. EPA by June 1, 1995. This submittal will contain the information specified:

1. written finding by the Ohio AG of necessary authority
2. copies of additional state statues and regulations, etc.
3. a demonstration of adequate resources
4. a schedule outlining expeditious implementation
5. a plan assuring rapid compliance by sources



If you have any other comments or questions, or require further information, please feel free to contact me, or Mr. Paul Koval of my staff, at the Division of Air Pollution Control at (614)644-2270.

Sincerely,



**Robert F. Hodanbosi, PE**  
Chief, Division of Air Pollution Control  
Ohio Environmental Protection Agency

RH/pk

**cc:** Mike Hopkins      AQM+P DAPC  
Paul Koval            ATU AQM+P DAPC

Steven Pak            U.S.EPA Reg V. AT-18J  
Chris Campbell      U.S.EPA Reg V. AT-18J