

TABLE 4.—BASE AND FINAL BUDGETS
[In tons]

Source category	2007 base budget	2007 final budget	File name
EGU	163,132	48,990	UT_budget.wb3

Table 5 contains the original budget that USEPA calculated for large industrial boilers (non-EGUs) located in Ohio. The information in Table 5 can be found on USEPA's web-site at "ftp://ftp.epa.gov/EmisInventory/NOxSIPCall_Mar2_2000," in the file entitled "OH_pt.wb3." USEPA modified the original non-EGU budget because on

October 31, 2001, we made a determination (66 FR 54992) that Marathon Ashland Petroleum LLC's Plant 1576000301, emissions unit B015 was not a NO_x budget unit. USEPA's original non-EGU budget was modified to remove 18 NO_x allowances initially designated for B015 and to add 36 tons of uncontrolled NO_x emissions from

B015 to the total budget for this source category. The budget submitted by Ohio EPA reflects these changes and the electronic file reflecting these changes is located on the CD submitted by Ohio in the file entitled "NonEGU Adjusted.wb3."

TABLE 5.—SOURCES REGULATED BY STATE RULES

Source	2007 Base budget	2007 Final budget	File name
non-EGUs	50,001	40,194	OH_pt.wb3

The information in Table 6, presents the components of Ohio's NO_x budget for EGUs and non-EGUs.

TABLE 6.—OHIO NO_x BUDGET
[In tons]

	EGU		non-EGU
	2004,2005	2006 and after	2004 and after
Total for source categories	48,990	48,990	40,194
non-Regulated Units	3,558	3,558	36,127
Set-Asides	¹ 2,272	² 3,181	¹ 203
Allowances available for existing units	43,160	42,251	3,846

¹ In each year, 5% of the Regulated Units' budget will be set aside to be allocated to new units.

² After 2005, an additional 2% of the EGU Regulated Units' budget will be set aside to fund two set-asides: 1% for Energy Efficiency/Renewable Energy Projects and 1% for Innovative Technology Projects.

USEPA believes the Ohio NO_x sources addressed here, which includes a cap and an allowance trading program, will be adequately controlled to ensure the sources in the State will meet the statewide NO_x budget established by USEPA.

D. What Public Review Opportunities Were Provided?

The Director of the Ohio Environmental Protection Agency " * * * may conduct public hearings on any plans for the prevention, control, and abatement of air pollution that the director is required to submit to the federal government." (Ohio Revised Code chapter 3704.03, Powers of the director of environmental protections.) Ohio's Director held several meetings early on in the rule development process, shortly after the USEPA promulgated the Finding of Significant Contribution and Rulemaking for the

Purpose of Reducing Regional Transportation of Ozone Rule (see 63 FR 57356, dated October 27, 1998). During the course of development, Ohio sent draft rules to stakeholders for review and comment. This process was repeated several times until the State was satisfied it had fulfilled the public process. Stakeholders included affected utilities, major heavy industry, environmental groups (both local and national), consultants, industry and manufacturing associations, planning commissions and councils of government, and one university.

Finally, a public hearing was held in Columbus, Ohio, on April 11, 2002, and Ohio accepted written comments until April 26, 2002. The transcript of the public hearing is included as part of the State's submittal and can be found in the Docket at Region 5.

E. What Guidance Did USEPA Use To Evaluate Ohio's NO_x Control Program?

USEPA used the final NO_x SIP Call rule at 40 CFR part 96 for review of portions of the Ohio submittal. We also used 40 CFR 51.121 and 51.122 to evaluate Ohio's rules and the plan. The Ohio rules also apply to portland cement kilns. For USEPA's current position on these types of sources the public can consult USEPA's proposed part 98, dated October 21, 1998 (see 63 FR 56394), which USEPA expects to finalize shortly.

F. Does the Ohio Plan Meet Federal NO_x SIP Call Requirements?

USEPA is satisfied that the Ohio plan meets the requirements of the NO_x SIP