



## Early Stakeholder Outreach — OAC Chapter 3745-76 - Control of Non-Methane Organic Compound (NMOC) Emissions from Existing Landfills

*Ohio EPA prepares early stakeholder outreach fact sheets to ensure stakeholders are brought into the review process as early as possible and to obtain additional input and discussion before development of interested party draft rules.*

### What does OAC Chapter 3745-76 cover?

Chapter 3745-76 of the Ohio Administrative Code (OAC) contains the requirements and emission guidelines for the control on non-methane organic compound (NMOC) emissions from existing landfills. An existing landfill is any landfill that commenced construction, reconstruction, or modification on or before July 17, 2014. The Emission Guidelines of this rule apply to landfills that accepted waste after November 8, 1987. These rules are part of Ohio's plan to control NMOC emissions from these landfills under the Clean Air Act Section 111(d) and 40 CFR Part 60, Subpart Cf.

### Why are these rules being sent out for Early Stakeholder Outreach?

The first step in the rule-making process is for Ohio EPA to identify that a rule needs to be amended, rescinded, or created. In response to EO 2011-01K, Ohio EPA has added an additional step to ensure stakeholders are brought into the rule process as early as possible. This additional interested party notification and request for information will allow for early feedback before the rule language has been developed by the Agency.

### What changes are being considered?

Ohio EPA will be performing a review of the rules in this chapter to update the existing rules to reflect 40 CFR Part 60, Subpart Cf. Some of the major changes being considered for these rules include the following: an existing landfill is any landfill that commenced construction, reconstruction, or modification on or before July 17, 2014; the landfill owners/operators must install a gas collection and control system (GCCS) from 50 Mg NMOC per year to 34 Mg/year, and an alternative sitespecific emission threshold determination for when a landfill must install and operate a GCCS; which is referred to as "Tier 4," surface emissions monitoring (SEM).

### Who will be regulated by these rules?

The rules in OAC Chapter 3745-76 are applicable to facilities that commenced construction, reconstruction, or modification on or before July 17, 2014. The Emission Guidelines of this rule apply to landfills that accepted waste after November 8, 1987.

### How can I provide input?

The Agency is seeking stakeholder input on the rules. When preparing your comments, be sure to:

- explain your views as clearly as possible;
- describe any assumptions used;
- provide any technical information and/or data used to support your views;
- explain how you arrived at your estimate for potential burdens, benefits or costs;
- provide specific examples to illustrate your views; and
- offer alternatives.

Written comments will be accepted through close of business **Friday, January 13, 2017**.

Please submit input to:

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### What if I have questions?

These rules can be found on Ohio EPA's website for electronic downloading at: [http://epa.ohio.gov/dapc/regs/3745\\_76.aspx](http://epa.ohio.gov/dapc/regs/3745_76.aspx) or contact Mr. Braun (information provided above).

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## What is the rulemaking schedule?

Upon completion of the Early Stakeholder Outreach portion of this rulemaking, Ohio EPA will make any changes necessary to the rule language and make a draft of the rule language available to the public for a 30-day review.

## What input is the Agency seeking?

The following questions may help guide you as you develop your comments.

- Is the general regulatory framework proposed the most appropriate? Should the Agency consider any alternative framework?
- What options are available for improving an identified concept? What options are available for improving the existing rules?
- Are there considerations the Agency should take into account when updating the existing rules? Are there considerations the Agency should take into account when developing a specific concept?
- Is there any information or data the Agency should be aware of when developing program concepts or rule language?

## Contact

For more information, contact Paul Braun at [paul.braun@epa.ohio.gov](mailto:paul.braun@epa.ohio.gov) or (614)644-3734.