

OHIO ENVIRONMENTAL PROTECTION AGENCY

PUBLIC HEARING

Public Meeting held at 250 William Howard Taft
 Road, Cincinnati, Ohio on Thursday, December 5th,
 2013 at 10:31 a.m. before Jamie S. Hurley, Court
 Reporter and Notary Public within and for the State
 of Ohio.

Present:

Ms. Heidi Griesmer

Ms. Erica Fetty

1 MS. GRIESMER: Okay. We'll go
2 ahead and get started. Good morning. My name is
3 Heidi Griesmer. I am a public information officer
4 for Ohio EPA. I will be presiding over today's
5 public hearing. Thank you for taking the time to
6 attend this hearing before Ohio EPA. The purpose
7 of the hearing today is to obtain comments from any
8 interested person regarding Ohio EPA's proposed
9 action.

10 USEPA adopted a new, more
11 stringent annual particulate matter standard on
12 December 14th, 2012. States must submit
13 recommended nonattainment areas to USEPA by
14 December 14th, 2013. The State of Ohio plans to
15 ask USEPA to revise the current air quality
16 designation for seven counties in Ohio, including
17 Cuyahoga, Stark, Jefferson, Hamilton, Butler,
18 Clermont, and Montgomery Counties, as these
19 counties are in nonattainment with the new
20 particulate matter standard.

21 USEPA will finalize nonattainment
22 destinations by December 13th, 2014. After the
23 destinations are effective, the State will have
24 three years to develop plans and implement air
25 pollution control strategies to bring these areas

1 into compliance with the standard. Comments can be
2 submitted until the close of business today,
3 December 5th, 2013. You may e-mail comments to,
4 J-E-N-N-I-F-E-R.D-I-N-E-S, @ EPA.Ohio.gov or mail
5 them to Jennifer Van Vlerah, Ohio EPA, Division of
6 Air Pollution Control, P.O. Box 1049, Columbus,
7 Ohio 43216-1049.

8 All interested persons are
9 entitled to be represented and present oral and/or
10 written comments concerning the proposed action.
11 All written and oral comments received as part of
12 the official record will be considered by the
13 director of Ohio EPA before the final decision is
14 made. Statements submitted after the comment
15 period closes may be considered as time and
16 circumstances permit but will not be part of the
17 official record of the hearing.

18 If you wish to present oral
19 testimony at the hearing today and have not already
20 signed the registration sheet, please do so at this
21 time. The sheet is available at the registration
22 table in the back. Persons will be called in the
23 order in which they have registered to see if they
24 would like to submit testimony. There is no
25 cross-examination of speakers or representatives of

1 Ohio EPA in hearings such as this.

2 Ohio EPA hearings provide citizens
3 the opportunity to submit comments on the official
4 record. Therefore, we will not be able to answer
5 questions during the hearing. However, Ohio EPA
6 staff may ask clarifying questions of the person
7 testifying to ensure the record is as complete and
8 accurate as possible.

9 We will now receive testimony.
10 First person listed is Andy Roth. Would you like
11 to -- the second person listed is John Paul. Would
12 you like to testify?

13 MR. PAUL: Yes, I would.

14 MS. GRIESMER: Okay.

15 MR. PAUL: Do you mind if I just
16 stay here? Can you hear me fine?

17 MS. GRIESMER: Yes.

18 MR. PAUL: Good morning. My name
19 is John Paul, and I am the Administrator of the
20 Regional Air Pollution Control Agency, RAPCA, a six
21 county local agency centered in Dayton, Ohio.
22 RAPCA is part of Public Health, Dayton and
23 Montgomery County and contracts with the health
24 departments of our five additional counties. As
25 such, the protection of public health is our

1 primary objective.

2 I am here today to testify on Ohio
3 EPA's proposed recommendation to USEPA Region 5 for
4 designation of Montgomery County as nonattainment
5 of the annual National Ambient Air Quality Standard
6 for PM-2.5. My testimony is intended to alert all
7 interested parties, Ohio EPA, USEPA, and others to
8 the fact that whereas the 2010 through 2012 data
9 indicate nonattainment of the standard, the 2011
10 through 2013 data, once certified, will show
11 attainment. Thus, whereas we agree with the
12 proposed recommendation at this time, we want to
13 alert interested parties to the fact that once the
14 2013 data are certified, we will be recommending
15 that the nonattainment proposal not go final. We
16 believe current air quality meets the annual
17 standard for PM-2.5.

18 RAPCA's adopted mission statement
19 is as follows: The primary mission of the Regional
20 Air Pollution Control Agency is to protect the
21 citizens of the Miami Valley from the adverse
22 health and welfare impacts of air pollution. This
23 is accomplished through the enforcement of federal,
24 state, and local air pollution control regulations
25 and through implementation of the state's

1 industrial permit system. RAPCA strives for
2 technical credibility and accountability in all
3 actions.

4 Agency personnel are mindful of
5 the mission statement and emphasize its
6 accomplishment through all our actions. RAPCA
7 staff operates 32 air quality monitors at 11
8 monitoring stations in five of our six counties.
9 Because of their small size, approximately 1/30th
10 of the average width of a human hair, PM-2.5
11 particles can lodge deeply into the lungs. The
12 major health effects of fine particulate matter
13 include reduced lung function, cough, wheeze,
14 missed school days due to respiratory symptoms,
15 increased use of asthma medications, cardiac
16 arrhythmias, strokes, emergency room visits,
17 hospital admissions, lung cancer, and premature
18 death.

19 Roughly one out of every three
20 people in the United States is at a higher risk of
21 experiencing PM-2.5 related health effects. One
22 group at high risk is active children because they
23 often spend a lot of time playing outdoors and
24 their bodies are still developing. In addition,
25 oftentimes the elderly population are at risk.

1 People of all ages who are active outdoors are at
2 increased risk because, during physical activity,
3 PM2.5 penetrates deeper into the parts of the lungs
4 that are more vulnerable to injury. The PM2.5
5 national ambient air quality standard is important,
6 and we want to emphasize the significance of
7 meeting and maintaining air quality levels below
8 the standard.

9 Sources of fine particulates
10 include all types of combustion activities, motor
11 vehicles, power plants, wood burning, et cetera,
12 and certain industrial processes. Some
13 particulates are formed in the air from the
14 chemical change of gases. They are indirectly
15 formed when gases from burning fuels react with
16 sunlight and water vapor. These can result from
17 fuel combustion in motor vehicles, at power plants,
18 and in other industrial processes. These emissions
19 can be transported long distances and thus are
20 regional in nature. Emissions can originate in
21 Indiana, Kentucky or other states further upwind
22 and cause or contribute to measured concentrations
23 within the Dayton area.

24 RAPCA staff have prepared an
25 analysis of the air quality data and the emissions

1 inventory for our six counties over the past
2 several years and will work with Ohio EPA staff to
3 supplement these data as necessary. We also have
4 looked closely at national inventories of those
5 pollutants that are transported across regions.
6 Our analysis shows a steady decrease in emissions
7 and a corresponding steady increase or improvement
8 in air quality over the years.

9 In fact, the 2013 data will show
10 the cleanest air quality measured over our
11 monitoring history of more than 40 years. As
12 stated above, attainment and maintenance of the
13 National Ambient Air Quality Standard is important
14 to the agency. In order to assure continued
15 maintenance of the standards, it is important to
16 document the sources of emissions and to assure
17 that enforceable controls are in place to limit
18 those emissions to levels that correspond to
19 healthy air quality.

20 Given the sources of fine
21 particulates and their precursors, direct PM, SO₂,
22 and NO_x, and given the ability of these emissions
23 to be transported over long distances, we are
24 active supporters of national rules on major
25 sources.

1 In fact, we believe that the
2 following national rules must be upheld by USEPA:
3 The Clean Air Interstate Rule, CAIR, or the Cross
4 State Air Pollution Rule, CSAPR, or a replacement
5 transport rule. The Utility Maximum Achievable
6 Control Technology, MACT, rule for Electric
7 Generating Units, EGUs. The Portland Cement
8 Maximum Achievable Control Technology rule. The
9 Industrial Boiler Maximum Achievable Control
10 Technology rule, and the Tier 3 Tailpipe and
11 Evaporative Emission and Vehicle Fuel Standards.

12 Each of these rules are under
13 various legal attacks but must be preserved for
14 current air quality, both for PM2.5 and ozone, to
15 be maintained. We urge Ohio EPA's support of these
16 rules.

17 Additionally, we support the
18 measures adopted by the Ohio legislature in 2008
19 under Senate Bill 221 and oppose the currently
20 proposed Ohio Senate Bill 58, which would roll back
21 many of the measures adopted regarding alternative
22 energy portfolios and energy efficiency standards.
23 Thus, we also urge Ohio EPA's opposition to the
24 passage of Senate Bill 58. The progress made
25 toward healthy air quality within the RAPCA region

1 and throughout Ohio over the past several decades
2 is remarkable.

3 RAPCA staff believe much of this
4 progress is due to the current suite of national
5 controls, especially those controls on Electric
6 Generating Units and motor vehicles. We pledge our
7 continued support of these national rules and urge
8 that Ohio EPA actively and publicly join in this
9 support.

10 In conclusion, we recognize that
11 Ohio EPA is proposing a nonattainment designation
12 for Montgomery County for the annual PM-2.5
13 standard based on air quality data for the
14 three-year period of 2010 to 2012. However, we
15 submit for the record our belief that once the 2013
16 air quality monitoring data are quality assured and
17 certified, the three year period of 2011 through
18 2013 will demonstrate attainment of the standard.
19 Thus, we ask that those data be considered for the
20 final designation and that the area remain
21 designated as attainment.

22 We recognize that with this
23 attainment designation comes a responsibility for
24 RAPCA to take appropriate measures to assure this
25 attainment is maintained into the future, and we

1 stand ready to take those measures. Thank you for
2 this opportunity to provide testimony. I'd be
3 happy to address any questions you may have.

4 MS. GRIESMER: Thank you. Megan
5 Hummel, would you like to testify?

6 MS. HUMMEL: No, I'm sorry. I'm
7 the HR Coordinator here. I just signed in.

8 MS. GRIESMER: Seeing that there's
9 no one else who wishes to provide testimony at this
10 time, we will go off the record and take a short
11 break just to make sure that nobody comes late. At
12 this time, it is 10:43, and we will be off the
13 record.

14 (WHEREUPON, a recess was taken.)

15 MS. GRIESMER: We are now on the
16 record. Seeing no further requests for testimony,
17 I will remind you that written comments can be
18 submitted through 5 p.m. today, December 5th, 2013.
19 Thank you for attending. The time is now 11 a.m.,
20 and this hearing is adjourned.

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22 (Meeting concluded at 11:00 a.m.)

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I, Jamie S. Hurley, a Court Reporter
and Notary Public do hereby certify that the
foregoing is a full, true and correct transcript of
my notes taken in the above-styled case and
thereafter transcribed by me.

JAMIE S. HURLEY