



Early Stakeholder Outreach — Ohio's Permits-to-Install New Sources and Permit-to-Install and Operate Rules

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 3745-31 cover?

This chapter provides requirements for installation and modification of all new and existing air contaminant sources, as well as operation of those sources, where their operation is not subject to Title V requirements in OAC Chapter 3745-77.

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The first step in the rule-making process is for Ohio EPA to identify that a rule needs to be amended, rescinded, or created.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 Executive Order 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 is performing a review of this chapter to fulfill the requirements of ORC 106.03 (5-year review). Ohio EPA is currently aware of a need for significant changes only in OAC rule 3745-31-03, pertaining to Permanent Exemptions and Permits by Rule. Ohio EPA also anticipates making minor changes to other rules in the chapter, for formatting purposes and to add clarity and correct typographical errors.

It should be noted that OAC rule 3745-31-03 was sent out for Early Stakeholder Outreach in June of 2017. As a result of that Outreach and our internal review, there are a number of changes being contemplated, in the form of additional categories of eligibility for exemption or permit-by-rule (PBR), and revisions to existing categories. It was originally our intention to subject that rule to an earlier timetable for amendment than the remainder of the chapter, but it could end up being folded into a common schedule. We will accept additional pre-draft comments on that rule with the rest of the chapter and consider them with any other comments received on the chapter. Changes being contemplated for 3745-31-03 include:

- new permanent exemptions under paragraph (B)(1) for natural gas transmission pipeline valve sites and metering and regulating facilities that have a potential to emit (PTE) of less than five tons of volatile organic compounds (VOC) per year; and temporary portable flares (i.e., flares not located at well sites or natural gas processing facilities) used in conjunction with natural gas transmission pipeline on-site repairs, maintenance or construction/dismantlement activities that are

How can I provide input?

The Agency is seeking stakeholder input on potential amendments to rules within OAC chapter 3745-31. 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, **Friday, July 27, 2018**. Please submit input to:

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Columbus, Ohio 43216-1049
(614)644-3134
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What if I have questions?

This rule can be found on Ohio EPA's website for electronic downloading at: http://epa.ohio.gov/dapc/regs/3745_31.aspx or contact Mr. Braun (information provided above).

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operated in accordance with 40 CFR 60.18 and have a PTE of less than five tons each of VOC, sulfur dioxide, and carbon monoxide per year.

- new permanent exemptions under paragraph (B)(1) for certain rubber manufacturing operations, namely extrusion, milling, and calendaring. The exemption thresholds will have units of pounds per hour, and restrict PTE to less than five tons each for particulate matter and VOC per year, and one ton per year for hazardous air pollutants.
- new permanent exemption under paragraph (B)(1) for sand and gravel storage and handling operations, with exemption thresholds for each material having units of tons per day of throughput and acres of storage pile surface area. The PTE for load-in/load-out and wind erosion combined will be less than five tons per year, for sand and gravel combined.
- new permanent exemption under paragraph (B)(1) for animal crematories of capacity no greater than 1300 pounds per hour, subject to the requirements that the crematory have a primary and secondary combustion chamber or a primary combustion and afterburner; burn only natural gas, propane, or butane; and have a total heat input capacity no greater than five million Btu per hour.
- new permanent exemption under paragraph (B)(1) for temporary fuel-burning equipment (i.e., boilers or engines) used to replace main fuel-burning equipment during periods of maintenance or repair provided the actual and potential emissions of the temporary sources do not exceed that of the main sources, and the temporary source does not remain at the location for more than ninety consecutive days. This discretionary exemption does not apply to sources subject to the portable source requirements under paragraph (B)(1)(p) of this rule.
- new permanent exemption under paragraph (B)(1) for wet cooling towers, water treating systems for process cooling water or boiler feedwater, and water tanks, reservoirs, or other water containers designed to cool, store, or otherwise handle water (including rainwater) that have not been used in direct contact with gaseous or liquid process streams containing carbon compounds, sulfur compounds, halogens or halogen compounds, cyanide compounds, chromium-based corrosion inhibitors, inorganic acids, or acid gases, and are not forced or induced draft cooling tower systems subject to a NESHAP requirement, that have a combination of water flow rate, total dissolved solids concentration, and percent drift that yields an PM emission level less than 5.0 tons per year according to a specified equation based on the internal recirculating flow rate and type of drift control technology.
- new permanent exemption under paragraph (B)(1) for portable sawmills which process no more than 18 million board feet of green wood per year, are powered by exempt non-road engines and where wood waste is mechanically discharged directly to storage piles.
- new permanent exemption under paragraph (B)(1) for breweries of beer and flavored malt beverages, including packaging and labeling lines, having a production no greater than 60,000 barrels per year.
- revisions to existing permanent exemption under (B)(1)(ii), for maintenance electric arc welding operations, that will extend applicability to production operations as well as maintenance, impose a limit on pounds of electrode consumed per day, and create a new exemption for all brazing and soldering operations.

Who will be regulated by these rules?

The rules in this chapter apply to all businesses wishing to operate an air pollution source in the state of Ohio.

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?

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- Are there considerations the Agency should consider 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?

Ohio EPA would especially like to hear information regarding the following from stakeholders who may be impacted by the new program.

- Would this regulatory program have a positive impact on your business? Please explain how.
- Would this regulatory program have an adverse impact on your business? If so, please identify the nature of the adverse impact (for example, license fees, fines, employer time for compliance).

Contact

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