



Early Stakeholder Outreach — Startup, Shutdown or Malfunction and Scheduled Maintenance 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 the Startup, Shut Down or Malfunction (SSM) and Scheduled Maintenance Rules cover?

Ohio's startup, shut down or malfunction (SSM) and scheduled maintenance (SM) rules include regulations for identifying and reporting excess emissions during periods of startup, shut down or malfunction and how to handle scheduled maintenance of air pollution control equipment. The SSM and SM rules include portions of Ohio Administrative Code (OAC) rules 3745-14-11, 3745-15-01, 3745-15-06, and 3745-17-07. Ohio EPA is performing this rulemaking in response to a U.S. EPA call for modifications to the rules on June 12, 2015 in 80 FR 33840. The amendments to these rules will be proposed to U.S. EPA as modifications to Ohio's state implementation plan (SIP) for the attainment and maintenance of the national ambient air quality standards (NAAQS).

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The first step in the rule-making process is for Ohio EPA to identify that a rule needs to be amended, rescinded, or created.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 making changes to address deficiencies in the rules identified in U.S. EPA's SIP Call in 80 FR 33840.

Who will be regulated by these rules?

Facilities affected by these rules include small to large facilities operating sources of air pollution and air pollution control equipment.

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.

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 July 28, 2016. Please submit input to:

Mr. Paul Braun

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PO Box 1049

Columbus, Ohio 43216-1049

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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_14.aspx ,

http://epa.ohio.gov/dapc/regs/3745_15.aspx

http://epa.ohio.gov/dapc/regs/3745_17.aspx

or contact Mr. Braun (information provided above).

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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?

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.