



Division of Air Pollution Control

Response to Comments For Proposed Rule Language

Rules: OAC Chapter 3745-73, "Total Reduced Sulfur"

Agency Contact for this Package

Division Contact: Paul Braun, Division of Air Pollution Control, (614) 644-3734,
paul.braun@epa.ohio.gov

Ohio EPA provided a 30 day comment period which ended on February 12, 2016. This document summarizes the comments and questions received at the public hearing and/or during the associated comment period.

Ohio EPA reviewed and considered all comments received during the public comment period. By law, Ohio EPA has authority to consider specific issues related to protection of the environment and public health.

In an effort to help you review this document, the questions are grouped by topic and organized in a consistent format. The name of the commenter follows the comment in parentheses.

OAC Rule 3745-73-03

Comment 1: OAC 3745-73-03(A)(4) sets forth limits for the emission of total reduced sulfur from lime kilns. The rule provides alternative limits- either 20 ppm or 40 ppm-- based on the cold-end temperature or length-to-diameter ratio of the lime kiln. Due to a typographical error, however, the rule currently says that both limits apply to a lime kiln "having a length-to-diameter ratio of less than 20 to 1." OAC 3745-73-03(A)(4)(a)-(b). Consequently, the rule includes no limit for a lime kiln having a length-to-diameter ratio of *more* than 20 to 1.

Currently, 3745-73-03(A)(4)(b) states:

(b) Forty parts per million on a dry basis and as a twelve-hour average, corrected to ten percent oxygen by volume, for lime kilns operated with cold-end temperatures of less than five hundred degrees Fahrenheit or having a length-to-diameter ratio of less than twenty to one.

The last line of this section should state:

(b) Forty parts per million on a dry basis and as a twelve-hour average, corrected to ten percent oxygen by volume, for lime kilns operated with cold-end temperatures of less than five hundred degrees Fahrenheit or having a length-to-diameter ratio of ~~less more~~ than twenty to one.

This change is consistent with 40 CFR Subpart BB and previous versions of OAC 3745-73-03(A)(4).

[Katherine A. Wiederman, Director, Environmental Health and Safety, Glatfelter]

Response 1: Ohio EPA has reviewed your comment and concurs that a typo appears to have been made in OAC 3745-73-03(A)(4)(b). Ohio EPA reviewed our air pollution rules archives and determined that the rule, as originally promulgated in 1984, included the term "more than." Somewhere between 1984 and the current version of the rule promulgated in 2011, the term was changed, however, Ohio EPA cannot find rule language filed with the Legislative Services Commission (LSC) or the Joint Committee on Agency Rule Review (JCARR) in which the change was officially made (as a redline/strikethrough change). Additionally, as the rule is currently written, both paragraph (A)(4)(a) and (A)(4)(b) refer to units with length to diameter ratios of less than 20 to 1, which is incongruous.

Based on the evidence uncovered by Ohio EPA regarding the historic rule language and to fix the incongruity, Ohio EPA will revert the language in paragraph (A)(4)(b) back to the original version as promulgated 11/1/1984 to read "...or having a length-to-diameter ratio of ~~less more~~ more than twenty to one."

End of Comments