



Early Stakeholder Outreach — Control of NMOC Emissions from Existing Landfills 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 3745-76 cover?

Chapter 3745-76 of the Ohio Administrative Code (OAC) contains the requirements for the control on non-methane organic compound (NMOC) emissions from existing landfills. An existing landfill is any landfill that was in operation on or before May 30, 1991 which has not, through construction, reconstruction, or modification has not increased the disposal capacity of the landfill. 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 Cc. Ohio's plan is codified in the Code of Federal Regulations (CFR) in 40 CFR 62.8870.

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The first step in the rule-making process is for Ohio EPA to identify that a rule needs to be amended, rescinded, or created.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?

At this time, Ohio EPA is not planning on making any changes to these rules.

Who will be regulated by these rules?

The rules in OAC Chapter 3745-76 are applicable to a limited number of facilities in the state of Ohio. The majority of facilities that were originally affected by these rules is rapidly dwindling as most have either finalized shut-down and closure, or have conducted expansions after May 30, 1991 and are no longer subject to these rules.

How can I provide input?

The Agency is seeking stakeholder input on the I/M Program 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 **November 10, 2015**. Please submit input to:

Mr. Paul Braun
Ohio EPA Division of Air Pollution Control
PO Box 1049
Columbus, Ohio 43216-1049
(614)644-3134
Paul.braun@epa.ohio.gov

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 or contact Mr. Braun (information provided above).

Early Stakeholder Outreach — Control of NMOC Emissions from Existing Landfills Rules

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?
- 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).