

**Public Notice**  
**Ohio Environmental Protection Agency**  
**Eight-Hour Ozone Attainment Demonstration and**  
**15 Percent Rate of Progress**  
**State Implementation Plan**

Notice is hereby given that the Director of the Ohio Environmental Protection Agency, (Ohio EPA) is submitting an Interim Eight-Hour Ozone Attainment Demonstration for the Cleveland-Akron-Lorain, Ohio area to the United States Protection Agency (U.S. EPA). The Cleveland-Akron-Lorain area consists of Ashtabula, Cuyahoga, Geauga, Lake, Lorain, Medina, Summit and Portage counties. As part of this package, Ohio EPA is also submitting a 15 Percent Rate of Progress plan and the State's 2002 base year inventory for U.S. EPA review and approval.

This area was designated as 'moderate' under provisions contained in the Clean Air Act (CAA), Subpart 2 as interpreted under the implementation rule for eight-hour ozone. This rule was vacated on December 22, 2006, by the U.S. Court of Appeals for the District of Columbus Circuit court, however, as encouraged by U.S. EPA, Ohio has continued to develop this plan in order to meet general CAA requirements to submit a plan within three years of the effective designation date of June 15, 2004 (69 FR 23858).

The submittal includes an attainment demonstration and identifies the rules deemed necessary to attain the air quality standard by June 15, 2010. This current demonstration is based on air quality modeling using a 2002 base year inventory and a 2002 ozone design value which was heavily influenced by the extreme 2002 ozone season. Additional air quality modeling is ongoing which is based on a 2005 base year inventory and an updated base year design value. This submittal will be updated with this additional technical support when it becomes available later this year.

The State of Ohio will request that U.S. EPA:

1. Begin reviewing specific components of this submittal, such as the rules addressing Architectural and Industrial Maintenance Coatings and Consumer Products,
2. Review and approve the 15 Percent Rate of Progress Plan, and
3. Review and approve Ohio's 2002 emissions inventory.

These actions must be noticed to allow public comment and to satisfy U.S. EPA requirements for public involvement in state implementation plan (SIP) related activities. Written comments may be received on or before July 24, 2007 at the following address:

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Mailing address: Sam MacDonald

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Pursuant to the Code of Federal Regulations Part 40 Section 51.103, a public hearing on these rule changes will be conducted as follows: July 24, 2007 at 2:30 PM, at the Ohio EPA, Northeast District office located at 2110 E. Aurora Road, Twinsburg, Ohio.

All interested persons are entitled to attend or be represented at the hearings and give written or oral comments on this action. All oral comments presented at the hearing, and all written statements submitted at the hearing or to the above address by the close of business on July 24, 2007, will be considered by Ohio EPA prior to final action on this submittal. Written statements submitted after July 24, 2007, may be considered as time and circumstances permit, but will not be part of the official record of the hearing.

This attainment demonstration plan is available on Ohio EPA DAPC's Web page at: <http://www.epa.state.oh.us/dapc/> for electronic downloading by clicking on "state implementation plan" under the "topics" drop-down box. Questions regarding accessing the Web site should be directed to Arunee Niamlarb at (614) 728-1342; other questions or comments about this document should be directed to either Sam MacDonald, (614) 728-1743, [sam.macdonald@epa.state.oh.us](mailto:sam.macdonald@epa.state.oh.us) or Bill Spires at (614) 644-3618, [bill.spires@epa.state.oh.us](mailto:bill.spires@epa.state.oh.us) or mailed to Sam MacDonald or Bill Spires at the above address.



## Division of Air Pollution Control

### Cleveland-Akron-Lorain Eight-Hour Ozone Interim Attainment Demonstration

#### Agency Contact for this Package

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Ohio EPA held a public hearing on July 23, 2007, regarding the draft attainment demonstration for the eight-hour ozone standard in Cincinnati. This document summarizes the comments and questions received at the public hearing and during the associated comment period, which ended on July 23.

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.

#### General/Overall Concerns

**Comment 1: The commenter asked if the E-Check program is included in getting the area in compliance with the new regulations. Is it part of the plan? (D. Husk)**

Response 1: E-Check is a federally mandated inspection and maintenance program. The purpose of the attainment demonstration SIP is to identify and implement any additional controls necessary to demonstrate attainment of the federal ozone standard.

**Comment 2: The commenter expressed concern that the task force recommendations approved by the governing board of NOACA were not included in the interim SIP. The recommendations were submitted to Ohio EPA by letter dated August 23, 2006. (H. Maier)**

Response 2: Ohio EPA acknowledges and appreciates NOACA's significant work on recommendations for ozone control strategies. As Ohio EPA has explained to NOACA previously, Ohio EPA will be evaluating modeling results using the 2005 base year inventory to determine what additional control strategies will be necessary to attain air quality standards.

**Comment 3:** The commenter stated that RVP gasoline should not be required due to the high cost and small benefits. There are other things that are underway already but could be accelerated such as upgrading diesel trucks, buses, especially school buses and local government fleets. Local governments could upgrade lighting and computers. The commenter stated that ethanol doesn't do a thing for improving air quality. More needs to be done with the electric utilities, the coal-fired. For air emissions in 2005, the most recent Toxic Release Inventory shows nine of the top ten facilities in Ohio are coal-fired power plants. (E. Chase)

Response 3: Thank you for your insightful and well-considered suggestions. Ohio EPA appreciates your interest and participation in this effort.

**Comment 4:** The commenter stated that E-Check only verifies that a vehicle is running properly and it would be better if the vehicles traveling through the area and surrounding communities used a better grade of fuel. (D. Husk)

Response 4: Ohio EPA expects to evaluate fuel options for the area if additional control strategies are needed based upon updated modeling results.

**Comment 5:** The commenter suggested cracking down on trucks and buses that belch out black smoke and on people who have illegal bonfires and burn their trash outdoors. Also, it seems as though wood-burning stoves kind of stink up the air in the winter. The commenter also suggested cracking down on the coal-fired plants so that their emissions are reduced. (J. Roman)

Response 5: Low sulfur diesel (LSD) fuel is now being used nationwide. This fuel significantly reduces the black smoke typically observed with diesel-fueled vehicles. More diesel-fueled vehicles are being retrofitted with filters to reduce particulate matter emissions and other technology is also being utilized statewide toward this effort.

Ohio EPA works hard to ensure coal-fired power plant permits are strictly followed and open burning regulations are enforced.

**Comment 6: The commenter expressed concern that the focus seems to only be on the seven northern counties of Ohio. What is going to be done with the 81 counties that have minimal to no emissions control? (T. Verdouw)**

Response 6: The Cleveland-Akron-Lorain area has the highest ozone readings in the state. Some control options such as consumer products and architectural coatings (paints) will be required statewide. Other controls are directed to the local sources contributing more directly to ozone formation.

**Comment 7: The commenter stated that E-Check should be stopped and to go after industrial polluters with a reasonable cost benefit plan. (R. Rett)**

Response 7: The Inspection and Maintenance Program (E-Check) is federally mandated due to the high levels of ozone in the Cleveland-Akron-Lorain area. There are a number of federal and state regulations in place that have helped to improve industrial emissions levels. Ohio EPA has several proposed rule packages expected to be approved within the next year that will also help reduce industrial emissions.

**Comment 8: The commenter stated that the possible higher-priced cleaner gas in Ohio would do nothing to solve air quality issues, that there are millions of trucks not required to have as much emissions equipment as cars, belching black smoke into the air. (D. Stewart)**

Response 8: Motor vehicles are a primary source of ground-level ozone formation. Use of cleaner-burning fuel helps reduce the amount of these pollutants being emitted from motor vehicles. Whether or not the Cleveland-Akron-Lorain area needs to implement alternate fuel is not yet known. Diesel-fueled vehicles are now required to use low-sulfur diesel fuel statewide which reduces a portion of the black smoke commonly associated with diesel-fueled vehicles.

**Comment 9: The commenter stated that the monitoring data shown in Table 1 on page 7 appears to have several typos and/or mathematical errors. (A. Wainwright)**

Response 9: Table 1 has been corrected and will be submitted to U.S. EPA. Thank you for your comment.

**Comment10: The commenter would like trucks and buses to be required to have E-Check. (P. Wayland)**

Response10: The Inspection and Maintenance program (E-Check) is federally mandated for the Cleveland-Akron-Lorain area due high ground-level ozone levels. The E-Check program is not required for trucks over 10,000 lbs. Manufacturers of the emission control systems of these larger vehicles are strictly regulated by U.S. EPA.

**Comment11: The commenter expressed support for Ohio's proposal to attain the NAAQS without any additional control programs other than those proposed or recognized in the June 15, 2007 proposal. ((M. Born; Shumaker, Loop & Kendrick, LLP)**

Response11: Thank you for your comments.