

BEFORE THE OHIO EPA

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IN RE: :

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Ozone Plan for Columbus : Tape-recorded

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Tuesday Afternoon Session

January 6, 2009

2:30 p.m.

Ohio EPA Central Office

Lazarus Government Center

Columbus, Ohio

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BEFORE:

MARY McCARRON, HEARING OFFICER

ALSO PRESENT:

Nachy Kanfer

Jeff Miller

- - -



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1 P-R-O-C-E-E-D-I-N-G-S

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3 HEARING OFFICER McCARRON: Welcome to
4 Ohio EPA's public hearing on the plan for
5 Columbus ozone. The purpose of the public
6 hearing is to accept comments on the official
7 record regarding Ohio EPA's proposed state
8 implementation plan to bring the Columbus area
9 into compliance with the federal air quality
10 standard for ozone.

11 The plan contains national, state, and
12 local controls to improve air quality,
13 including cleaner plants and architectural
14 coatings -- excuse me, cleaner paints and
15 architectural coatings, portable gas cans,
16 consumer products, and lower emissions from
17 coal-burning power plants.

18 The Columbus area was classified as a
19 non-attainment area by U.S. EPA on June 15,
20 2004. The area includes Fairfield, Franklin,
21 Delaware, Knox, Licking, and Madison counties.
22 The Columbus area must meet the ozone standard
23 by June 15, 2009.

24 Current monitoring indicates that the

1 Columbus area is meeting the standard.
2 However, Ohio EPA is still required to plan --
3 to prepare a plan to meet the standard.

4 Ohio EPA published a public notice to
5 announce the hearing and public comment period
6 in a local paper. The notice was also issued
7 in Ohio EPA's Weekly Review, which is the
8 publication that lists by county all agency
9 activities and actions taking place in Ohio.

10 Written and oral comments received as
11 part of the official record are reviewed by
12 Ohio EPA. To be included in the official
13 record, written comments must be received by
14 the close of business on January 9, 2009.
15 Comments received after this date may be
16 considered as time and circumstances permit,
17 but won't be part of the official record of
18 the hearing.

19 Written comments can be filed with me
20 today or submitted to Sarah VanderWielen at
21 Ohio EPA, Division of Air Pollution Control,
22 Lazarus Government Center, P.O. Box 1049,
23 Columbus, Ohio 43216. This address is also
24 found on the agenda for the hearing.

1 It is important for you to know that
2 all comments received in writing at the
3 agency, all written comments given to me
4 today, and all verbal comments given here
5 today are given the same consideration.

6 I ask that any exhibits you might
7 have, including written speeches, maps,
8 photographs, overheads, and any other physical
9 evidence referred to in your testimony be
10 submitted as part of the official record. If
11 you choose not to submit the information, Ohio
12 EPA cannot ensure the access of your
13 testimony.

14 If you wish to present testimony --
15 well, you've already signed in. So I don't
16 need to say that.

17 Each individual may testify only once.
18 There's no time limit at this -- at this
19 hearing since there's only one person. We
20 cannot answer questions during the hearing;
21 but if you do have a question, please put your
22 comments in the form of a question. And we
23 will go ahead and get started.

24 I'll call your name. If you can --

1 I'll move the tape-recorder to you -- spell
2 your name into it. We are going to get this
3 transcribed by a court reporting firm. And
4 it's Nachy Kanfer.

5 I'm going to pause it for a sec.

6 Okay. If you can state your name and
7 spell it.

8 MR. KANFER: Sure. My name is Nachy
9 Kanfer. That's spelled N-A-C-H-Y,
10 K-A-N-F-E-R. I'm representing the Sierra Club
11 National Coal Campaign in Ohio. My role is to
12 coordinate national and state activities and
13 to coordinate with Sierra Club members on all
14 issues related to coal.

15 Sierra Club is one of the nation's
16 oldest and largest grass roots environmental
17 groups. We have almost 200,000 members in
18 Ohio, give or take. The number varies. Our
19 members are not only quite numerous but also
20 among the state's most politically aware and
21 civically active citizens.

22 For the record, I would -- I would say
23 that meetings at 2:30 p.m. tend to, in our
24 experience, decrease public participation.

1 The Sierra Club office is about four blocks
2 away from here, so I just walked down. But
3 it's not possible for a lot of people who have
4 -- would have nine-to-five jobs.

5 I'd like to thank Ohio EPA staff for
6 this opportunity to come into this hearing.
7 Sierra Club believes that Ohio needs to move
8 beyond coal in general as a source of electric
9 power. But today there are severe health
10 impacts and deaths from emissions related to
11 the coal-fired power plants, including ozone,
12 which is the emission -- which is the
13 pollutant that we're here to discuss.

14 For this reason Sierra Club believes
15 that it's imperative today to act with all
16 haste and expediency to reduce these emissions
17 from coal -- coal-fired power plants as much
18 as is physically possible.

19 I would like to give written
20 clarification on one issue, and that is the
21 reinstatement of the Clean Air Interstate
22 Rule. It's a recent development. But I was
23 -- in reading the state's implement plan, I
24 was struck by mentions of the Nox Budget

1 Trading Program and various other programs
2 that are designed and seem to be bringing Ohio
3 into -- or bringing the Columbus metro area
4 into compliance for ozone; but I'm interested
5 in how the institutional care will affect
6 this.

7 I believe that is all. Thanks very
8 much for the opportunity to come.

9 HEARING OFFICER McCARRON: Thank you.

10 At this time we're going to go off the
11 record until 3 p.m. to see if anybody else
12 will arrive for the hearing.

13 (Break taken.)

14 HEARING OFFICER McCARRON: Okay. The
15 time is now 3 p.m. One gentleman came to
16 attend but did not want to put anything on the
17 record. His name is Jeff Miller.

18 At this point we're going to close the
19 hearing; and I was going to say thank you, but
20 he's already left.

21 (End of tape-recorded hearing.)

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C E R T I F I C A T E

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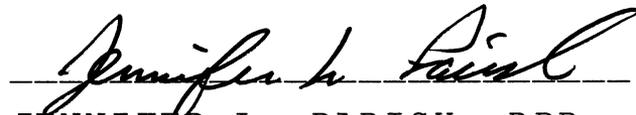
STATE OF OHIO :

SS:

COUNTY OF FRANKLIN :

I, Jennifer L. Parish, Registered Professional Reporter, do hereby certify that the foregoing is a true, correct, and complete transcription of the above-mentioned cassette tape to the best of my ability.

DATED this 26th day of January, 2009.



JENNIFER L. PARISH, RPR

NOTARY PUBLIC-STATE OF OHIO

My Commission Expires: November 23, 2009.

<p style="text-align: center;">A</p> <p>ability 8:9 about 6:1 above-mention... 8:8 accept 2:6 access 4:12 act 6:15 actions 3:9 active 5:21 activities 3:9 5:12 address 3:23 affect 7:5 after 3:15 Afternoon 1:7 agency 3:8 4:3 agenda 3:24 ahead 4:23 air 2:9,12 3:21 6:21 almost 5:17 already 4:15 7:20 among 5:20 announce 3:5 answer 4:20 anybody 7:11 anything 7:16 architectural 2:13,15 area 2:8,18,19 2:20,22 3:1 7:3 arrive 7:12 attend 7:16 aware 5:20 away 6:2</p> <hr/> <p style="text-align: center;">B</p> <p>BEFORE 1:1,13 believe 7:7 believes 6:7,14 best 8:9 beyond 6:8 blocks 6:1 Box 3:22 Break 7:13 bring 2:8 bringing 7:2,3 Budget 6:24 business 3:14</p> <hr/> <p style="text-align: center;">C</p> <p>C 8:1,1 call 4:24</p>	<p>came 7:15 Campaign 5:11 cans 2:15 care 7:5 cassette 8:8 Center 1:9 3:22 Central 1:8 certify 8:6 choose 4:11 circumstances 3:16 citizens 5:21 civically 5:21 clarification 6:20 classified 2:18 Clean 6:21 cleaner 2:13,14 close 3:14 7:18 Club 5:10,13,15 6:1,7,14 coal 5:11,14 6:8 6:17 coal-burning 2:17 coal-fired 6:11 6:17 coatings 2:14,15 Columbus 1:4,9 2:5,8,18,22 3:1 3:23 7:3 come 6:6 7:8 comment 3:5 comments 2:6 3:10,13,15,19 4:2,3,4,22 Commission 8:17 complete 8:7 compliance 2:9 7:4 consideration 4:5 considered 3:16 consumer 2:16 contains 2:11 Control 3:21 controls 2:12 coordinate 5:12 5:13 correct 8:7 counties 2:21 county 3:8 8:4 court 5:3 Current 2:24</p>	<p style="text-align: center;">D</p> <p>date 3:15 DATED 8:11 day 8:11 deaths 6:10 decrease 5:24 Delaware 2:21 designed 7:2 development 6:22 discuss 6:13 Division 3:21 down 6:2 during 4:20</p> <hr/> <p style="text-align: center;">E</p> <p>E 8:1,1 Each 4:17 electric 6:8 emission 6:12 emissions 2:16 6:10,16 End 7:21 ensure 4:12 environmental 5:16 EPA 1:1,8 2:19 3:2,4,12,21 4:12 6:5 EPA's 2:4,7 3:7 evidence 4:9 excuse 2:14 exhibits 4:6 expediency 6:16 experience 5:24 Expires 8:17</p> <hr/> <p style="text-align: center;">F</p> <p>F 8:1 Fairfield 2:20 federal 2:9 filed 3:19 firm 5:3 foregoing 8:7 form 4:22 found 3:24 four 6:1 Franklin 2:20 8:4 from 2:16 6:2,10 6:17</p> <hr/> <p style="text-align: center;">G</p> <p>gas 2:15 general 6:8</p>	<p>gentleman 7:15 give 5:18 6:19 given 4:3,4,5 go 4:23 7:10 going 5:2,5 7:10 7:18,19 Government 1:9 3:22 grass 5:16 groups 5:17</p> <hr/> <p style="text-align: center;">H</p> <p>haste 6:16 health 6:9 hearing 1:14 2:3 2:4,6 3:5,18,24 4:19,20 6:6 7:9 7:12,14,19,21</p> <hr/> <p style="text-align: center;">I</p> <p>impacts 6:10 imperative 6:15 implement 6:23 implementation 2:8 important 4:1 improve 2:12 included 3:12 includes 2:20 including 2:13 4:7 6:11 indicates 2:24 individual 4:17 information 4:11 institutional 7:5 interested 7:4 Interstate 6:21 issue 6:20 issued 3:6 issues 5:14</p> <hr/> <p style="text-align: center;">J</p> <p>January 1:7 3:14 8:11 Jeff 1:18 7:17 Jennifer 8:5,14 jobs 6:4 June 2:19,23 just 6:2</p> <hr/> <p style="text-align: center;">K</p> <p>Kanfer 1:17 5:4 5:8,9 know 4:1 Knox 2:21 K-A-N-F-E-R</p>	<p>5:10</p> <hr/> <p style="text-align: center;">L</p> <p>L 8:5,14 largest 5:16 Lazarus 1:9 3:22 left 7:20 Licking 2:21 like 6:5,19 limit 4:18 lists 3:8 local 2:12 3:6 lot 6:3 lower 2:16</p> <hr/> <p style="text-align: center;">M</p> <p>Madison 2:21 maps 4:7 MARY 1:14 may 3:15 4:17 McCARRON 1:14 2:3 7:9,14 meet 2:22 3:3 meeting 3:1 meetings 5:23 members 5:13,17 5:19 mentions 6:24 metro 7:3 might 4:6 Miller 1:18 7:17 monitoring 2:24 most 5:20 move 5:1 6:7 much 6:17 7:8 must 2:22 3:13</p> <hr/> <p style="text-align: center;">N</p> <p>Nachy 1:17 5:4,8 name 4:24 5:2,6 5:8 7:17 national 2:11 5:11,12 nation's 5:15 need 4:16 needs 6:7 nine-to-five 6:4 non-attainment 2:19 NOTARY 8:15 notice 3:4,6 November 8:17 Nox 6:24 number 5:18 numerous 5:19 N-A-C-H-Y 5:9</p>	<p style="text-align: center;">O</p> <p>off 7:10 office 1:8 6:1 OFFICER 1:14 2:3 7:9,14 official 2:6 3:11 3:12,17 4:10 Ohio 1:1,8,9 2:4 2:7 3:2,4,7,9 3:12,21,23 4:11 5:11,18 6:5,7 7:2 8:3 8:15 Okay 5:6 7:14 oldest 5:16 once 4:17 one 4:19 5:15 6:20 7:15 only 4:17,19 5:19 opportunity 6:6 7:8 oral 3:10 other 4:8 7:1 overheads 4:8 ozone 1:4 2:5,10 2:22 6:11 7:4</p> <hr/> <p style="text-align: center;">P</p> <p>paints 2:14 paper 3:6 Parish 8:5,14 part 3:11,17 4:10 participation 5:24 pause 5:5 people 6:3 period 3:5 permit 3:16 person 4:19 photographs 4:8 physical 4:8 physically 6:18 place 3:9 plan 1:4 2:4,8,11 3:2,3 6:23 plants 2:13,17 6:11,17 please 4:21 point 7:18 politically 5:20 pollutant 6:13 Pollution 3:21 portable 2:15 possible 6:3,18 power 2:17 6:9</p>
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<p>6:11,17 prepare 3:3 present 1:16 4:14 products 2:16 Professional 8:6 Program 7:1 programs 7:1 proposed 2:7 public 2:4,5 3:4 3:5 5:24 publication 3:8 PUBLIC-STA... 8:15 published 3:4 purpose 2:5 put 4:21 7:16 P-R-O-C-E-E-... 2:1 p.m 1:8 5:23 7:11,15 P.O 3:22</p> <hr/> <p style="text-align: center;">Q</p> <p>quality 2:9,12 question 4:21,22 questions 4:20 quite 5:19</p> <hr/> <p style="text-align: center;">R</p> <p>R 8:1 RE 1:3 reading 6:23 reason 6:14 received 3:10,13 3:15 4:2 recent 6:22 record 2:7 3:11 3:13,17 4:10 5:22 7:11,17 reduce 6:16 referred 4:9 regarding 2:7 Registered 8:5 reinstitution 6:21 related 5:14 6:10 Reporter 8:6 reporting 5:3 representing 5:10 required 3:2 Review 3:7 reviewed 3:11 role 5:11 roots 5:16</p>	<p>RPR 8:14 Rule 6:22</p> <hr/> <p style="text-align: center;">S</p> <p>same 4:5 Sarah 3:20 sec 5:5 see 7:11 seem 7:2 Session 1:7 severe 6:9 Sierra 5:10,13 5:15 6:1,7,14 signed 4:15 since 4:19 source 6:8 speeches 4:7 spell 5:1,7 spelled 5:9 SS 8:3 staff 6:5 standard 2:10,22 3:1,3 started 4:23 state 2:7,11 5:6 5:12 8:3 state's 5:20 6:23 still 3:2 struck 6:24 submit 4:11 submitted 3:20 4:10 Sure 5:8</p> <hr/> <p style="text-align: center;">T</p> <p>T 8:1,1 take 5:18 taken 7:13 taking 3:9 tape 8:9 tape-recorded 1:4 7:21 tape-recorder 5:1 tend 5:23 testify 4:17 testimony 4:9,13 4:14 thank 6:5 7:9,19 Thanks 7:7 time 3:16 4:18 7:10,15 today 3:20 4:4,5 6:9,15 Trading 7:1 transcribed 5:3</p>	<p>transcription 8:8 true 8:7 Tuesday 1:7</p> <hr/> <p style="text-align: center;">U</p> <p>until 7:11 U.S 2:19</p> <hr/> <p style="text-align: center;">V</p> <p>VanderWielen 3:20 varies 5:18 various 7:1 verbal 4:4 very 7:7</p> <hr/> <p style="text-align: center;">W</p> <p>walked 6:2 want 7:16 Weekly 3:7 Welcome 2:3 well 4:15 we're 6:13 7:10 7:18 wish 4:14 writing 4:2 written 3:10,13 3:19 4:3,7 6:19</p> <hr/> <p style="text-align: center;">1</p> <p>1049 3:22 15 2:19,23</p> <hr/> <p style="text-align: center;">2</p> <p>2:30 1:8 5:23 200,000 5:17 2004 2:20 2009 1:7 2:23 3:14 8:11,17 23 8:17 26th 8:11</p> <hr/> <p style="text-align: center;">3</p> <p>3 7:11,15</p> <hr/> <p style="text-align: center;">4</p> <p>43216 3:23</p> <hr/> <p style="text-align: center;">6</p> <p>6 1:7</p> <hr/> <p style="text-align: center;">9</p> <p>9 3:14</p>		
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