

## Permit Exemption Threshold Committee (PETC)

### Minutes of August 5, 2003 Meeting

**Attendees:** Perry Bennett, Molded Fiber Glass Co.; Bill Hayes, Vorys, Sater, Seymour & Pease; Chuck Taylor, GT Environmental; Jon Hunter, Delphi; Mike Hopkins, Ohio EPA; Paul Koval, Ohio EPA; Doug McWilliams, Squire, Sanders & Dempsey; Paul Guevin, Ohio Paint Council; Kristin Clingan, Ohio Chamber of Commerce; Tim Ling, Plaskolite; Matt Johnston, Worthington Industries; Alex Tancevski, Ohio EPA; Genevieve Damico, USEPA; Bill Spires, Ohio EPA; Jack Pounds, OCTC; Chris Korleski, Honda; Gary Wilson, Marathon Ashland Pipeline; Marty Selzer, Porter Wright; Laurie Stevenson, Ohio EPA; Kevin Kilroy, Smithers-Oasis; Rick Wright, Ashland, Inc.

#### **I. Introductions & Approval of Minutes**

The meeting was called to order and the minutes from the June 19, 2003 meeting were approved as distributed. The committee chairmen made general comments that the group hopes to conclude its work in the next 3 months (by the end of the year).

#### **II. Permit Reviewers' Comments**

Between meetings, no one responded to Mike or Bill with "comments on the comments." Mike Hopkins noted that these comments would likely come up in the interested party review process, so we should pay attention to them now.

The group discussed Hamilton County's concern regarding the impact of the emission threshold rule on their fee revenue. While that may not be directly our issue, we need to recognize the local impact and strive to make our effort as "fee neutral" as possible. Once we know what the final rule will look like we can discuss possible ways to address impacts to local fees, but it will also be something they will have to address separately with OEPA.

Bill Hayes noted common themes in the permit reviewers' comments (confusion over the hierarchy of exemptions, confusion over *de minimis* vs. exempt, etc.) that he will focus on in redrafting the rule language. Bill volunteered to summarize the reviewer comments for the next meeting.

Mike Hopkins provided the group with a handout to develop as a "visual aide" in explaining what the rule would or would not apply to (**see handout**). A narrative will be needed to accompany the chart in order to explain the application of the rule and avoid any perception problems with the proposed rule. We discussed confusion over the chart as drafted (for example, is (A) uncontrolled or controlled potential-to-emit?) and the need to think about how to refine it as we move forward with the draft rule.

### III. Modeling

Bill Spires, OEPA, attended the meeting to discuss the modeling being conducted in regard to various PPEC initiatives. He explained that not a lot of time has been spent specific to the threshold rule, but they have done modeling for the General Permit workgroup. The common question in developing the threshold rule and general permit rule is: if a permit had been required for the activity, would it have triggered state modeling (and then modification) in order to permit the activity/emissions? The modelers look at what reasonable conditions might be put on a source to guarantee the emissions do not cause a problem (stack specifications, clear terrain definitions, etc.).

Mike Hopkins stated that based on the BAT analysis we need to identify what sources to look at in order to conduct modeling for a “sample source.” Doug McWilliams stated that he has started the source category analysis. Approximately 12% are industrial paint, and 12% Gas Dispensing Facilities (GDFs), so they would be logical targets for modeling. Chuck Taylor asked if OEPA knew how many of the PTIs issued in 2002 underwent air toxics screening? The Agency said they could provide that information.

### IV. Public Health Concern Discussion

Paul Koval, Ohio EPA, provided the group with new handouts taking the TLV list and breaking it down into categories for various levels of review/eligibility under the exemption rule (**see handouts**). In general, the breakdown is:

- Level 1 TLV under 1000 micrograms / cubic meter (ug/m3), most toxic
- Level 2 TLV 1000 ug/m3 - 10,000 ug/m3, intermediate toxicity
- Level 3 TLV greater than 10,000 ug/m3, low toxicity

Carcinogens are automatically listed in Level 1. Simple asphyxiants are listed in Level 3, and chemicals without any toxic value (TLV or other) are listed in Level 3. These tables may change based on the outcome of the modeling; OEPA’s modeling group will need to confer with OEPA’s toxics group before the list is finalized. It was also noted that we have not yet married this breakout of the TLV list with the threshold exemption levels (don’t know yet how levels 1-2-3 will apply to the exemption threshold). Mike Hopkins indicated that internal discussion would continue before the next meeting.

### V. BAT Update

Doug McWilliams gave the group an update on the analysis being done on BAT. He has started the task of looking at categories and subcategories of sources and determining how we can take what has already been done and make it more representative. Of the PTIs reviewed, he has categories for 60%, with 40% falling into the “other” category. There are 30 different categories of emissions units. One piece of missing information is what number of PTIs were issued in

each category over that time period (Jan. 2000 to July 2001). Mike Hopkins will check with staff on getting the breakout by emissions source (1884 total PTIs). Chuck also has a database from the original PTI input and will review it. It was noted that it will not be quick or easy to determine incremental BAT benefit, it will involve lots of calculating and nuances. It was also noted that permit-by-rule (PBR) and general permit (GP) applicable sources (such as industrial paints and GDFs) would not be included in the analysis.

Genevieve was asked if it would make a difference if we submit the SIP revision before or after the final nonattainment areas are determined? She said hopefully it will not be a problem since these are small sources, but Mike noted it may create a perception problem in the state's attainment plan (exempting sources in a nonattainment era).

## **VI. Homework**

1. Bill Hayes redraft rule with preliminary/blank on public health issue.
2. Bill Hayes summarize permit reviewers' concerns and draft preliminary responses.
3. Doug McWilliams provide modeling and TLV sources to OEPA;
4. OEPA start preliminary work with source categories on what appropriate TLV level might be; explore different modeling scenarios for those categories.
5. Doug McWilliams generate list of source categories with SCC Code, incorporate new information from Mike and Chuck on refined number of PTIs issued by source category; work on incremental BAT by source category.
6. Mike Hopkins explore MACT issue in more detail (exemption of MACT sources).

Next Meetings:       Wednesday, September 24, 2003  
                          10 AM  
                          Ohio Chamber of Commerce

-And-

Thursday, October 9, 2003  
10 AM  
Ohio EPA Quarterly meeting with workgroups after