



Early Stakeholder Outreach for “Carbon Monoxide, Photochemically Reactive Materials, Hydrocarbons, and Related Materials Standards” Rules

September 11, 2012

Rules in Ohio Administrative Code (OAC) Chapter 3745-21

Ohio Administrative Code (OAC) Chapter 3745-21 contains rules establishing reasonable available control technology (RACT) requirements for sources in various industries emitting volatile organic compounds (VOC). These industries include, but are not limited to: Certain types of printing industries, various forms of surface coating industries, petroleum storage in fixed and variable roof tanks, solvent cleaning operations, product coating operations, bakery operations, and gasoline dispensing facilities. VOC's are a precursor chemical which, in combination with nitrogen oxides, can form ozone. Ozone is one of the six criteria pollutants for which a National Ambient Air Quality Standard (NAAQS) has been established under the Clean Air Act (the Act). The rules in this chapter are a part of Ohio's State Implementation Plan (SIP) for attaining and maintaining the ozone national ambient air quality standard as required by the Act.

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The first step in the rule-making process is for Ohio EPA to identify that a rule needs to be amended, rescinded, or created. This may be in response to a recognized need for changes, or as a result of a review to fulfill the requirements of Ohio Revised code (ORC) 119.032. Once the rulemaking process has been initiated, Ohio EPA initiates this Early Stakeholder Outreach (ESO) process. The ESO process fulfills the requirements of Executive Order 2011-01K, to ensure stakeholders are brought into the rule process as early as possible. The ESO process allows for early feedback before the rule language has been developed by the Agency.

Ohio EPA has identified the changes are necessary to the rules in this chapter. These changes will be part of the ORC 119.032 review of this chapter.

What changes are being considered?

As part of the ORC 119.032 review, Ohio EPA will be reviewing all of the rules in this chapter and making update for various reasons including: updating language to meet federal standards, updating language based on stakeholder input, updating information of referenced materials, fixing typos and formatting errors for clarification purposes.

Who will be regulated by these rules?

This rule is applicable to facilities operating regulated processes in counties that are designated as non-attainment or maintenance for the various national ambient air quality standards for ozone. These industries include, but are not limited to: Certain types of printing industries, various forms of surface

coating industries, petroleum storage in fixed and variable roof tanks, solvent cleaning operations, product coating operations, bakery operations, and gasoline dispensing facilities. The counties in which a rule is applicable are listed under the rule applicability paragraph at the beginning of each rule.

What is the rulemaking schedule?

Ohio EPA plans to propose these rules to the Joint Committee on Agency Rule review no later than August 25, 2013.

What additional information is the Agency seeking?

Ohio EPA wants to hear from interested stakeholders who may be impacted by these rules. General comments and specific factual information are welcome. Ohio EPA is specifically asking for stakeholders to identify the following:

- Do these rules impact your business?
- Do these rules have an adverse impact on your business? If so, please identify the nature of the adverse impact (e.g., license fees, fines, employer time for compliance).
- Are there any alternative rules (or specific provisions within the rule) that the Agency should consider?

What should you consider when preparing comments?

You may find the following suggestions helpful for preparing your comments:

1. Explain your views as clearly as possible.
2. Describe any assumptions that you used.
3. Provide any technical information and/or data you used that support your views.
4. If you estimate potential burden or costs, explain how you arrived at your estimate.
5. Provide specific examples to illustrate your concerns.
6. Offer alternatives.
7. Make sure to submit your comments by the comment period deadline.

How can I provide input on the rules?

Questions and comments on these rules should be sent no later than **Friday, October 12, 2012** to the following email address: alan.harness@epa.state.oh.us or to the address listed below. Persons submitting comments electronically are encouraged to follow-up with a hard copy via regular mail:

Mailing address: Alan Harness
Ohio Environmental Protection Agency, DAPC
Lazarus Government Center
P.O. Box 1049
Columbus, Ohio 43216-1049
Phone: (614) 644-4838

How can I get more information?

For more information on Division of Air Pollution Control (DAPC) rules, please visit our website at: <http://epa.ohio.gov/dapc/DAPCrules.aspx>. View the tab labeled "Early Stakeholder Outreach."