



Early Stakeholder Outreach — OAC Chapter 3745-72 – Low Reid Vapor Pressure Fuel Requirements 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 3745-72 cover?

Chapter 3745-72 of the Ohio Administrative Code (OAC) contains the requirements for the use of low Reid Vapor Pressure (RVP) fuels in the Cincinnati/Dayton/Springfield metropolitan areas during the annual ozone season (June 1 through September 15). These rules provide control of emissions of volatile organic compounds from the fuels to help the Cincinnati/Dayton/Springfield areas in their attainment of the national ambient air quality standard (NAAQS) for ozone.

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The first step in the rule-making process is for Ohio EPA to identify that a rule needs to be amended, rescinded, or created.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

Ohio EPA will be performing a general review of the rules in this chapter to fulfill the requirements of ORC 119.032 (5-year review). Ohio EPA is not aware, at this time, of any major changes necessary to these rules.

Who will be regulated by these rules?

The rules in OAC Chapter 3745-72 are applicable to all gasoline sold or dispensed for use in the Cincinnati/Dayton/Springfield metropolitan areas between June first and September fifteenth of each year. The rules also contain provisions to expand them into additional areas of Ohio, only after a measured violation of the NAAQS for ozone in the area as determined by 40 CFR Part 50, Appendix H is measured and only if the request for redesignation for the area (created pursuant to section 107(d)(1)(E) of the Clean Air Act) has been approved by the U.S. environmental protection agency.

How can I provide input?

The Agency is seeking stakeholder input on the above mentioned 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 **Friday, October 10, 2014**. Please submit input to:

Mr. Paul Braun
Ohio EPA Division of Air Pollution Control
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Columbus, Ohio 43216-1049
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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_72.aspx or contact Mr. Braun (information provided above).

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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).