



COMPLIANCE & PREVENTION

quarterly

Spring 2006

A Publication of Ohio EPA, Office of Compliance Assistance and Pollution Prevention

OCAPP's 2005 Accomplishments

Ohio EPA's Office of Compliance Assistance and Pollution Prevention (OCAPP) was created in 2004 through the merger of the agency's two existing small business assistance programs and the Office of Pollution Prevention. OCAPP is an independent office within Ohio EPA with a goal of providing information and resources to help businesses achieve compliance with environmental regulations. This includes a wide range of regulations from air and water pollution to waste management. Another primary goal of the office is to help its customers identify and implement pollution prevention (P2) measures that can save money, increase business performance and benefit the environment.

More than 40 new P2 related publications were developed in 2005, including fact sheets, technical assistance reports and P2 case studies. The office also compiled Ohio EPA's Guide to Environmental Permitting, a resource for businesses seeking more information on the Agency's various permitting requirements.

The office's Web site also contains a large number of tools and resources and has received positive feedback from U.S. EPA and others as



KEY POINTS FROM THIS ISSUE

- ☑ **New surface water permit application form must be used starting May 1**
- ☑ **Energy award nominations due June 2**
- ☑ **Air permit-by-rule exemption notifications due July 29**
- ☑ **Methyl ethyl ketone no longer a listed hazardous air pollutant**
- ☑ **New procedure for disposing of solvent-contaminated rags**
- ☑ **SPCC deadline extended to October 31, 2007**

one of the more comprehensive sites to obtain P2 information. In 2005, the site received more than 770,000 hits from more than 157,000 external customers.

The office has an active site-visit program. Staff conducted nearly 150 site visits in 2005 to help businesses with compliance and P2 issues. OCAPP staff also delivered more than 30 presentations and training sessions to help businesses understand regulatory requirements and reduce waste. The office was also part of the team to coordinate Ohio EPA's two recent full-day compliance assistance conferences, with 250 attendees at each event.

In addition to the services provided directly by OCAPP, the office participated in several other important compliance assistance related initiatives at the Agency during 2005, including:

- OCAPP participated in Ohio EPA's Permit Process Efficiency Committee initiative for the past several years. The results of these efforts included the creation of several general air permits and the expansion of permit-by-rule provisions for various business sectors.

In This Issue

Compliance Assistance

OCAPP's 2005 Accomplishments	1
MEK Delisted as a Hazardous Air Pollutant	2
Upcoming Notification Deadline for Air PBR Sources	2
Solvent-Contaminated Rags	2
New PTI Application Forms from Ohio EPA's DSW	3
Spill Prevention Control & Countermeasure Update	3

Pollution Prevention

OCAPP's 2005 Accomplishments	1
Announcing Solicitations for the 2006 Governor's Award for Excellence in Energy	3
Region 5 Sustainability Network Gets off the Ground	4



Printed on recycled and recyclable paper

- OCAPP recently assisted in developing fact sheets explaining the new permit-by-rule (PBR) options and is currently working on guidance for some of the small business sectors now eligible for the PBR.
- The Ohio Mercury Reduction Group, coordinated by OCAPP with Ohio EPA's Division of Surface Water, shares information and helps coordinate mercury reduction efforts at Ohio EPA and with other state agencies and organizations. During 2005, the group collected and reviewed mercury data pertaining to Ohio, assisted with voluntary programs such as thermometer exchanges and helped coordinate mercury reduction activities throughout Ohio.
- OCAPP worked with several divisions to help develop the Permit Wizard, Ohio EPA's new interactive tool to help small and mid-sized businesses more easily identify permit, licensing and registration requirements that apply to their operations.
- OCAPP assisted the Agency in the development and launch of a new frequently asked questions Web tool known as the Answer Place. The Answer Place provides quick, easy access to information and allows users to pose questions directly to Agency staff.

Additional information on OCAPP activities can be found on the OCAPP Web site at: www.epa.state.oh.us/ocapp/ or by calling our toll free hotline at (800) 329-7518.

Methyl Ethyl Ketone Delisted as a Hazardous Air Pollutant

U.S. EPA is amending the list of hazardous air pollutants (HAPs) contained in section 112 of the Clean Air Act (CAA) by removing methyl ethyl ketone (MEK) (2-Butanone) (CAS No. 78-93-3). This action is being taken in response to a petition submitted by the Ketone Panel of the American Chemistry Council (formerly the Chemical Manufacturers Association) on behalf of MEK producers and consumers to delete MEK from the HAP list. Petitions to remove a substance from the HAP list are permitted under section 112 of the CAA.

U.S. EPA has made a determination that there are "adequate data on the health and environmental effects of MEK to determine that emissions, ambient concentrations, bioaccumulation, or deposition of the substance may not reasonably be anticipated to cause adverse effects to human health or adverse environmental effects."

More information on this can be found at www.regulations.gov/fdmspublic/component/main. Enter the document number OAR-2003-0028 in the keyword/id

field and make sure to select the "all documents" option when you search.

It's important to know that although MEK has been delisted as a HAP under the air program, it is still subject to regulations under other programs, such as hazardous waste, wastewater and emergency reporting.

Source: Clean Air Clips, Winter 2006; Illinois Department of Commerce and Economic Opportunity, Small Business Environmental Assistance Program.

Upcoming Notification Deadline for Air Pollution Permit-by-Rule Sources



Attention! If your company is intending to claim a permit-by-rule exemption for an emergency generator, plastic molding equipment, crushing and screening plant or a soil/ground water remediation project, you have until July 29, 2006, to submit a notification form to Ohio EPA to maintain the exemption. Under the old rules, notification for permit-by-rule exemptions was not required. Amendments adopted in July 2005 allow companies one year to notify Ohio EPA of their intent to maintain a permit-by-rule exemption for any equipment mentioned above. More information on the air pollution permit-by-rule exemptions is available at www.epa.state.oh.us/dapc/pbr/permitbyrule.html

New Procedure for Disposing of Solvent-Contaminated Rags

The Division of Hazardous Waste Management (DHWM) recently rescinded a written policy on the management of solvent-contaminated rags. Under that policy, rags contaminated with a solvent constituent that is a listed hazardous waste solvent (F001 through F005) had to be regulated as a listed hazardous waste when disposed of, regardless of how the solvent got on the rag.



DHWM recently reviewed this policy and concluded that rags contaminated with a listed solvent constituent do not fall within the listing description for spent solvents. As a result, the policy is no longer in effect.

This now means solvent-contaminated rags that are contaminated with a listed solvent are not considered listed hazardous wastes. The one exception to this is in situations where the rag is used to clean up a spill of a used solvent that is a listed hazardous waste; these rags do become a listed hazardous waste.



And although not listed, if you generate solvent-contaminated rags or wipers and you will be disposing of these, you will still need to evaluate them to determine whether they would be a characteristic hazardous waste (for example, containing heavy metals or ignitable). If you have questions about how to evaluate a waste for a hazardous characteristics, see Ohio EPA's fact sheet "Identifying Your Hazardous Waste," available at www.epa.state.oh.us/ocapp/sb/publications/identifyingwaste.pdf.

One thing that did not change from the old policy is DHWM's position on shop rags that are laundered. If you have your shop rags laundered, they are not regulated. The rags cannot contain free liquids and they must be sent to a commercial laundry or a dry cleaner for cleaning and reuse. If you have any questions, please feel free to contact DHWM's regulatory services unit at (614) 644-2917.

New Surface Water Permit to Install Application Forms Required Beginning May 1

Ohio EPA's Division of Surface Water has updated its Permit to Install (PTI) application forms. Any application for a project received at Ohio EPA after May 1, 2006 must be submitted on the new form.

The new forms can be found on the Agency's Web page, www.epa.state.oh.us/dsw/pti/PTIForms.html and are available in Adobe Acrobat and Microsoft Word formats. The PDF forms must be printed and completed by typewriter or by hand. The Word forms can be downloaded and filled out using your computer.

Spill Prevention Control and Countermeasure (SPCC) Update



In December 2005, U.S. EPA proposed amendments to the SPCC rules (40 CFR Part 112) to help streamline the requirements for facilities and equipment regulated under the SPCC program. The proposed streamlining measures included self-certification for small operations, alternatives to secondary containment, exemptions for some specific activities and a reevaluation of the applicability of SPCC rules to some vegetable oils and animal fats.

In February 2006 rules, U.S. EPA extended the compliance deadlines for facilities to make necessary changes to existing plans or implement new plans until October 31, 2007.

Although this compliance deadline may seem far off, if you are subject to the SPCC requirements, you should start reviewing these requirements soon to ensure that you will be in compliance. U.S. EPA has information about the new SPCC requirements available on its Web site at www.epa.gov/oilspill/nprm.htm.

A helpful resource is U.S. EPA's "SPCC Guidance for Regional Inspectors." Although it's intended to be a guidance document for SPCC regulatory inspectors, it includes information that would also be helpful to businesses, including sample SPCC plans. You can get the guidance at www.epa.gov/oilspill/guidance.htm#Content. (See appendices D, E and F in this document for sample SPCC plans.)



Announcing the 2006 Governor's Award for Excellence in Energy

The Governor's Award for Excellence in Energy, administered by the Ohio Department of Development (ODOD), recognizes individuals, businesses, industries and organizations that have improved Ohio's economic competitiveness and its environment through the effective, efficient and innovative use of energy.

ODOD is now soliciting nominations for its 2006 award. Examples of eligible projects include:

- Educational programs (not exclusive to schools);
- Energy efficient building design;
- Use of energy efficient technology or process;
- New industrial processes and/or equipment;
- Innovations, which include new methods utilizing existing technologies;
- Use of alternative fuels; and
- Use of renewable energy.

Projects must be developed and/or located in Ohio. **The project entry deadline is June 2, 2006.** For entry guidelines, past award recipients and more information, please visit ODOD's Web site at www.odod.state.oh.us/cdd/oe/Governor'sAward.htm.

Region 5 Sustainability Network

The kick-off meeting of the Region 5 Sustainability Network took place at U.S. EPA's office in Chicago on March 8. The purpose of the meeting was to determine the scope and activities of the network and focus on steering committee roles and responsibilities. The steering committee has representatives from the Department of Defense, U.S. EPA Region 5, NASA, the Michigan Department of Environmental Quality, the Wisconsin Department of Natural Resources, the Illinois Waste Management Research Center and Ohio EPA. For more information, contact Tony Nesky at (410) 436-7248 or tony.nesky@us.army.mil.

Need Help?

Ohio EPA's Office of Compliance Assistance and Pollution Prevention is a non-regulatory program and one-stop location for information about environmental requirements, compliance concerns and pollution prevention. Services are free. Contact us at (800) 329-7518 or (614) 644-3469.

How You Can Make a Difference

You can make the publication of *Compliance and Prevention Quarterly* more environmentally friendly. E-mail the Office of Compliance Assistance and Pollution Prevention at p2mail@epa.state.oh.us to request that we send you an electronic copy, an Adobe Acrobat PDF file or a message that indicates the newest version is now available on the Web. It's that easy to make a difference.

Compliance and Prevention Quarterly

Published by Ohio EPA's
Office of Compliance Assistance and Pollution Prevention
Laurie Stevenson, Chief
Ellen Miller, Editor

Please direct your comments and address changes to:

Ellen Miller
Ohio EPA
Office of Compliance Assistance and Pollution Prevention
P.O. Box 1049
Columbus, OH 43216-1049
(614) 644-3469
ellen.miller@epa.state.oh.us
www.epa.state.oh.us/ocapp/CPQ/cpqnwslett.html

Ohio EPA is an Equal Opportunity Employer.

Columbus, OH 43216-1049

P.O. Box 1049
Ohio EPA-OCAPP

Bob Taft, Governor
Bruce Johnson, Lt. Governor
Joseph P. Koncelik, Director

