



COMPLIANCE & PREVENTION

quarterly

Summer 2012

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

Governor Signs Regulatory Reform Omnibus Bill

On June 5, Governor Kasich signed Senate Bill 294, also called the Ohio EPA Regulatory Reform Omnibus Bill, into law. It will become law on September 5. Highlights include:

Expanded Compliance Assistance Services for Businesses

Background: The Ohio EPA's Office of Compliance Assistance and Pollution Prevention (OCAPP) has historically focused on providing compliance assistance to small businesses with fewer than 100 employees and pollution prevention assistance to all businesses. However, under statute, OCAPP could only offer confidentiality protection to small businesses seeking assistance on air permitting.

The Fix: Under the Omnibus Bill, OCAPP's services are now available to a wider audience, although air permitting assistance is still limited to non-Title V facilities. In addition, the bill expands OCAPP's confidentiality provisions to help ensure that information obtained by the office is not used for purposes of enforcement. There are some exceptions to confidentiality, particularly for situations where violations have been previously discovered by the Agency and where violations present an imminent threat.

Outcome: By expanding its scope of services and confidentiality, OCAPP is working to reduce some of the barriers that existed to help businesses feel comfortable in seeking assistance from the program. OCAPP will also survey businesses using the program to measure outreach success and make improvements to the services it provides.

Streamlines Process and Creates One-Stop Shop to Clean Up Storage Tanks

Background: Ohio EPA and the Ohio Department of Commerce/BUSTR recently changed the statute to allow Class C (orphan) underground storage tank sites to proceed with remediation through Ohio EPA's Voluntary Action Program (VAP). This modification affected sites

such as old gas stations that do not have a liable responsible party.

The Fix: Allowing these sites to proceed through Ohio EPA's established VAP program allows a third party to remediate the site, making it available for future development. This bill took the next step to expand the availability of the program, by allowing volunteers who are not BUSTR "responsible persons" to clean up releases through the VAP if certain conditions are met.

Outcome: This change will streamline the process and create a one-stop agency shop and expedite the potential cleanup.

Creates More Options for Protective Wetland Development

Background: In the past, Ohio EPA has been limited to either on-site mitigation or mitigation banking as the only options available for wetland restoration.

The Fix: SB 294 allows for the creation of an "in-lieu fee" wetland restoration program. The new program provides an additional tool for those required to mitigate their impacts to streams and wetlands in Ohio.

Outcome: The change removes the burden of the mitigation from the applicant, who may not have the expertise or land conditions, and puts it in the hands of professionals, improving the likelihood of the success of the mitigation project.

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Makes Certified Operator Testing More Accessible

Background: Those hoping to become certified for a drinking water and wastewater operator license would have to go through Ohio EPA - the sole test provider - and travel to Columbus for one of two examinations offered a year.

The Fix: SB 294 will allow Ohio EPA to make it more convenient for individuals to take certification testing for drinking water and wastewater operator licenses. The test will now be available in multiple locations around the state, including online, and will also include examination options at private entities.

Outcome: Testing will now be more convenient and accessible for individuals hoping to obtain a license.

U.S. EPA Says States Can Phase Out Stage II Vapor Controls at Gas Stations

On May 16, 2012, U.S. EPA determined that on-board vehicle refueling controls, standard equipment on 2006 and newer vehicles, are in widespread use and that states could be phasing out Stage II vapor control systems at gas stations. Since 1994, Ohio has required gas stations in the Cleveland, Akron, Dayton and Cincinnati areas to operate Stage II control systems. These systems capture the gasoline vapors that normally escape during the filling of vehicle fuel tanks and help reduce ground-level ozone pollution.



Ohio EPA supports U.S. EPA's determination and has begun the process that will lead to the eventual phase out of the State II vapor controls. Ohio EPA published a public notice on May 29, 2012, to collect early stakeholder comments in advance of the more formal draft rulemaking stage. Ohio EPA plans to amend OAC 3745-21-09(DDD) to establish a schedule for the removal of Stage II vapor recovery requirements. The Agency anticipates that removing the Stage II requirements will lessen the regulatory burden on businesses without adversely impacting Ohio's air quality.

For further information, contact Jim Kavalec, Ohio EPA's Division of Air Pollution Control, at (614) 644-4840 or jim.kavalec@epa.ohio.gov.

Online Training Available for New Compost Rules

Ohio EPA has new composting rules (OAC Chapter 3745-560) that became effective April 2, 2012. The Division of Materials and Waste Management (DMWM) conducted training sessions to highlight the changes in the rules.

The purpose of the training sessions was to inform composting facility operators and health department inspectors of the new requirements and changes to the composting regulations. The PowerPoint presentation from these sessions is available at www.epa.ohio.gov/portals/34/document/currentrule/Composting-New%20Rules-RoadShow%20web.pptx.

Please contact Barry Chapman at barry.chapman@epa.ohio.gov or (614) 728-5344 if you have any questions.

New Asbestos Removal Rules Fact Sheets

Ohio EPA's Division of Air Pollution Control recently amended the regulations governing asbestos emission control, effective March 2, 2012. Three new fact sheets were created to help explain the amended regulations.

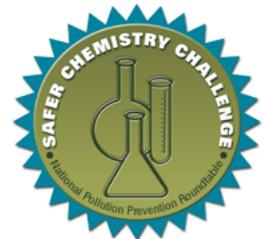
What Building Owners and Municipalities Need to Know About Ohio's Asbestos Removal Rules
www.epa.ohio.gov/portals/27/atu/asbestos/May2012asbestosmunicipalityfactsheet%20final.pdf

What Landfills Need to Know About Ohio's Asbestos Removal Rules
www.epa.ohio.gov/portals/27/atu/asbestos/May2012asbestoslandfillfact%20sheetfinal.pdf

What Asbestos Removal Contractors Need to Know About Ohio's Asbestos Removal Rules
www.epa.ohio.gov/portals/27/atu/asbestos/May2012asbestoscontractor%20factsheetfinal.pdf

Safer Chemistry Challenge Program Deadline Approaching

Ohio companies have until Sept. 30 to join the 2025 Safer Chemistry Challenge Program (SCCP) in order to be recognized in 2012. The SCCP recognizes and rewards companies for finding safer alternatives to the hazardous chemicals they currently use.



This program builds on ongoing business efforts and helps to sustain the momentum to make toxic chemical reduction a business reality. The SCCP targets the reduction or elimination of toxic chemicals through pollution prevention or source reduction approaches. Companies have the flexibility to select the chemicals for which they wish to focus their reduction activities to meet specific business objectives.

Members of the program will be provided access to SCCP resources, especially state and regional technical assistance staff with knowledge in manufacturing processes and product chemistries.

Companies that participate in the SCCP will also be nationally recognized for their commitment and achievements in safer chemistry through publicity of company successes on the SCCP website, news releases, legislative briefings, conference recognition and association newsletter articles.

Join the SCCP by Sept. 30, and take advantage of upcoming Fall activities including the webinar series focused on reducing chemicals in your supply chain and the Nov. 13-14 green chemistry conference in Chicago, followed by the Nov. 15 GreenScreen training.

For information on how to become a member of the Safer Chemistry Challenge Program, visit www.p2.org/challenge/. Facilities in the Great Lakes basin can join the program at no cost for two years under the current U.S. EPA grant. Direct questions to saferschutz@p2.org.

Ohio Company Participates in Safer Chemistry Challenge Program

The 2025 Safer Chemistry Challenge Program (SCCP) is a voluntary initiative of the National Pollution Prevention Roundtable. The SCCP is designed to motivate, challenge and reward facilities to reduce the use of chemicals, especially hazardous chemicals, through source reduction measures. Washing Systems, LLC, is Ohio's first member.



Located in Cincinnati, Washing Systems is one of the largest chemistry suppliers to the commercial laundry industry in the U.S. and Canada. As a leader in innovation, service and sustainability, Washing Systems helps its customers gain competitive advantage and take care of the environment by using environmentally friendly chemistry that lessens water and energy use in the laundry process. Washing Systems provides products that help customers become more efficient, produce cleaner products and earn more profits.

Washing Systems demonstrates its commitment to protecting the environment and conserving natural resources in the following ways:

- Uses product formulations that reduce or eliminate chemicals of concern
- Helps customers reduce their environmental impact by reducing energy and water use
- Provides process control systems that monitor and regulate chemistry, energy, and water use
- Uses products that enhance textile conservation by reclaiming out-of-service goods

Washing Systems has put significant effort and research toward safer chemistries in its cleaning formulations. Working with its customers, the company is eliminating or reducing chemicals of concern.

For example, Washing Systems worked in collaboration with Washington State to help a commercial laundry client with three facilities eliminate 25,000 gallons of detergent that contained nonylphenol ethoxylate (NPE) in their laundry process. In addition, this effort resulted in a 33 percent reduction in water use, equivalent to 19 million gallons and \$171,000 in savings.

NPEs are nonionic surfactants used in a wide variety of industrial applications and consumer products. NPEs are highly toxic to aquatic organisms and in the environment degrade to nonylphenol, which is more toxic and environmentally persistent.

Reduction efforts at Washing Systems are continuing with other chemicals of concern including phosphates, NPE, butyl cellosolve, EDTA and petroleum-based solvents. For more information about the company's efforts, contact Leah Boyd at lboyd@washingsystems.com or (513) 870-4546.

Save the Date! Upcoming Conference and Events

EcoSummit 2012 - Ecological Sustainability
Sept. 30 - Oct. 5, 2012
Greater Columbus Convention Center
Columbus, Ohio
www.ecosummit2012.org/index.htm

2012 Michigan Green Chemistry & Engineering Conference: Driving Sustainable Manufacturing
Oct. 26, 2012
Wayne State University
Detroit, Michigan
www.michigan.gov/greenup



Advanced Energy B2B Conference & Expo
Oct. 30-31, 2012
Greater Columbus Convention Center
Columbus, Ohio
www.advancedenergyexpo.com/

Catching the Wave - Green Chemistry and Economic Development in the Great Lakes Region
Nov. 13 - 15, 2012
Hyatt Regency Chicago
Chicago, Illinois

Nov. 13 - 14: *Catching the Wave - Green Chemistry and Economic Development in the Great Lakes Region*
Learn first-hand about the business case for Green Chemistry and Engineering and how companies can take advantage of technical assistance opportunities to help them move forward in their own effort to promote sustainability. For more information, please visit www.glgc.org/ or contact glgreenchemistry@gmail.com.

Nov. 15: *GreenScreen Training*
(space is limited)
Register early for this in-depth experiential training on how to use the GreenScreen™ for Safer Chemicals, a tool developed by Clean Production Action for identifying chemicals of concern and selecting safer alternatives. For more information, please visit www.cleanproduction.org/Greenscreen.Training.php.



Compliance and Prevention Quarterly

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

Please direct your comments and address changes to:

Dave Foulkes
Ohio EPA

Office of Compliance Assistance and Pollution Prevention
P.O. Box 1049
Columbus, OH 43216-1049
(800) 329-7518

dave.foulkes@epa.ohio.gov
www.epa.ohio.gov/ocapp/CPQ/cpqnwslett.aspx

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*Please include 'Compliance and Prevention Quarterly' in the subject line.

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. Visit us at www.epa.ohio.gov/ocapp.

John R. Kasich, Governor
Mary Taylor, Lt. Governor
Scott J. Nally, Director
Ohio EPA-OCAPP
P.O. Box 1049
Columbus, OH 43216-1049

 The logo for the Office of Compliance Assistance and Pollution Prevention (OCAPP) features the letters "OCAPP" in a stylized font, with "COMPLIANCE & PREVENTION" written below it. The word "quarterly" is written in a smaller font above the "PP" part of the logo.