



Becoming Involved in the Air Permitting Process

Public involvement is a high priority at Ohio EPA and we make numerous efforts to involve citizens in the decision-making process. These efforts give citizens the opportunity to voice their concerns and also to learn about Ohio EPA's permitting process and the technical requirements that must be met.

Why should I get involved?

The best way to have an effect — whether you are in support of or opposing the proposal — is to get involved. In many instances, citizens have played a very important role by providing information which proved to be valuable in the decision-making process.

When should I get involved?

Public involvement is encouraged any time you have a concern or question about a facility or environmental problem in your area. However, in terms of permitting, there are several points at which citizen input is especially valuable.

When Ohio EPA receives a permit application, we issue a public notice in local papers and the *Weekly Review*. Anyone may review the permit application and associated documents. Once we have received the application, feel free to call Ohio EPA to learn about and discuss the proposed project. This is especially important for many routine permits that have no formal comment period.

For other, larger or controversial permits, Ohio EPA will issue a draft permit followed by a 30-day comment period. You can provide comments during this period and, if desired, ask for a formal public hearing.

Ohio EPA conducts public information sessions to allow citizens to ask questions regarding the draft permit and public hearings to take oral comments for the official record. Comments on draft permits may be made orally or in writing during the comment period. All comments are weighed equally. You can view the public meeting calendar online at epa.ohio.gov/calendar.aspx. You can also contact a public involvement coordinator for your area about media briefings, advisory board meetings, roundtable discussions, etc.

Will my comments matter?

Yes. If your comments are relevant to Ohio EPA's technical review of the permit application, then your comments can make a difference. Therefore, it is important for you to learn about the technical criteria on which Ohio EPA bases its final decision. For an example of comments and responses generated during previous permit actions, you may view some of Ohio EPA's response to comments documents at epa.ohio.gov/pic/respond.aspx.

Many people think the director of Ohio EPA has unlimited ability to address all public concerns relating to a permit. In fact, some concerns may be regulated by other state, federal or local agencies. Your participation in the decision-making process will be most effective if you know what the Agency can and cannot consider. If you identify a concern that is not handled by Ohio EPA, we will attempt to refer you to the appropriate agency.

But I'm not a technical expert. How can I educate myself?

Most citizens who attend public hearings are not engineers or scientists. Ohio EPA attempts to provide information in an easy-to-understand format so everyone has the opportunity to learn about the review process and about the technical criteria on which Ohio EPA bases its decision.

Employees from Ohio EPA's air division, district offices, local air pollution control agencies and the Public Interest Center are available to assist you any time you have questions.

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Does Ohio EPA approve a facility's location?

No. Ohio EPA does not have the authority to determine a facility's location. Site selection is determined by the company, local authorities and zoning ordinances. By law, if a company meets all state and federal air regulations at a specific site, Ohio EPA's Division of Air Pollution Control must issue the air permit.

Does Ohio EPA do background checks on all permit applicants?

No. House Bill 592 (passed in 1988) supplemented Ohio Administrative Code, which regulates solid and hazardous waste facilities. This bill requires background checks for those types of permits only. The Division of Air Pollution Control has no legal authority to conduct background checks or to consider such information in issuing or denying air permits.

How does a company get permission to operate after the source is constructed?

Companies must obtain an installation permit in order to construct a facility.

Larger facilities, often referred to as Title V facilities, must apply for a Permit-to-Install (PTI). A PTI allows the company to operate the source for up to a year after they complete construction before they must apply for a new operating permit or for modifications to their existing Title V operating permit.

Smaller, or non-Title V facilities, generally qualify for a Permit-to-Install and Operate (PTIO). The PTIO allows companies to begin operating the source as soon as installation is complete, provided they follow the terms and conditions in the PTIO.

What does Ohio EPA consider when recommending issuance or denial of a permit?

The biggest consideration is the effect the new source will have on air quality. Protection of air quality and the health of surrounding residents is Ohio EPA's primary goal. Recommendations to approve or deny a permit are based on whether the proposed source meets all federal and state requirements and if it employs the best available technology (BAT).

BAT is a case-by-case determination of an emission limit and/or control technique which, by taking into account environmental, energy and economic considerations, represents the maximum emission control achievable by the source. This level of control is necessary to ensure that the impact of the new source on the outdoor air is minimized.

In no instance shall the emission level or control measure specified in the BAT determination be less stringent than that allowed under any state or federal rules.

How can I stay informed?

The Agency will do its best to keep your local media updated on future developments. The media will be notified promptly when a decision is made, or a public comment period or public hearing is scheduled. Ohio EPA also updates citizens and organized citizens' groups who make their interest known. Some helpful websites include:

- Weekly Reviews and Public Notices
epa.ohio.gov/actions.aspx
- News Releases
epa.ohio.gov/News/OnlineNewsRoom/NewsReleases.aspx

More Information

Ohio EPA, Division of Air Pollution Control
(614) 644-2270
epa.ohio.gov/dapc/

Ohio EPA, Public Interest Center
(614) 644-2160
epa.ohio.gov/pic/