

**Compliance Advisory Panel (CAP)**  
**Forum Minutes**  
**Mach 31<sup>st</sup>, 2022**  
**Via Microsoft Teams hosted by Ohio EPA-OCAPP**

**CAP members Present:** Glorianna Corman, Randy Solganik (president), Ben Stratton, Steve Canter, and Dan Sowry

**Absent:** Christina O’Keeffe, Shane Wilkin, John Pierko

**Non-member participants:** Mike Kelley, Samira Deeb, Laura Klein

**Welcome and announcements:** Samira and Dan opened the forum at 10 a.m. followed by introductions

**Ohio EPA General and Program Updates – Dan Sowry [Ohio EPA]**

Dan Sowry provided an update about current projects OCAPP is working on. Recycling and litter prevention grant applications closed, and OCAPP is planning on asking for an additional \$2 million spending authority, to meet grant requests. Soring has been completed – currently working on compliance checks and then will meet with director in May to assign grants. Dan then discussed E3-E3C-E4 awards – expanding marketing and encouraged CAP to recommend the application of the award to constituents. Dan then brought up Ohio Material’s Marketplace (OMM) – completing new outreach activities to increase memberships, transactions and dialogue – described OMM and how it works. Mentioned full staffing of the Recycling and Sustainability Unit (RSU) and how this has helped boost OMM.

Discussed the planning of the upcoming 2022 Virtual Compliance Assistance Conference (VCAC) - described general focus and planning, discussed in person vs. virtual approaches – mentioned cost for venue and numbers reached (200-300) versus 10,000. Glorianna Corman mentioned that in-person may be preferred but noted that attendance at recent conference she was at was down. Randy Solganik mentioned Ohio Metal Finishers conference in May at NEORS, going back to live, but indicated virtual reaches out to many more individuals.

Lastly, Dan described the Permit Wizard re-design project– described functionality and efforts to improve the compliance tool. DEFA annual report – described this being complete

**SBO Updates – Laura Klein [OAQDA]**

- Closed Clean Air Resource Center (CARC) projects to date for FY 2022:
  - Total 8 projects;
  - \$1.55 million in funding; and
  - \$159,800 in grant funding.
- New updated OAQDA website – annual reports, case studies and news.
- Dan Sowry discussed collaboration opportunities and willingness to work with new OAQDA staff (Laura Klein and Joseph Mechling) on getting the word out about OAQDA funding and OCAPP services.

**Ohio EPA Regulatory Updates – Samira Deeb [Ohio EPA]**

Described the types of rules she’s presenting and rulemaking process at Ohio EPA including 5-year review process. Encouraged CAP members to reach out about any specific rules/rule changes that specifically interests their constituents/communities they represent. Summary of rule changes discussed:

| <b>Ohio EPA Small Business Regulatory Updates</b> |  |   |
|---|--|---|
| <b>Division</b>                                   | <b>Update</b>  | <b>Status</b>   |
| DAPC  | OAC 3745-31 "Permits-to-Install New Sources and Permit-to-Install and Operate Program" - new exemptions and PBRs. Three new Permit-by-rules: Portable bulk transloaders; Petroleum solvent drycleaners; non-emergency engines/generators including those used during peak shaving periods/demand response.   | Interested Party  |
| DAPC  | OAC 3745-15-06 - Malfunction Rule - substantial changes to notification requirements - to be changed from 72 hrs to 42 hrs.  | Interested Party  |
| DAPC  | OAC 3745-21— Carbon Monoxide, Photochemically Reactive Materials, Hydrocarbons, and Related Materials Standards.<br>OAC 3745-110-03 RACT requirements and/or limitations for emissions of NOx from stationary sources.<br>Addition of Cincinnati (Butler, Clermont, Hamilton and Warren County) as nonattainment areas for the ozone standard. Industry specific limitations of sources of NOx and VOC - Permit modifications will be required.  | Final/Effective - 3/17/2022   |
| Federal Rule - Air                                | 40 CFR 63 Subpart M - PCE Dry Cleaning NESHAP proposed rule change. New area source PCE dry cleaners operating dry-to-dry machines must: <ul style="list-style-type: none"> <li>• Operate with a refrigerated condenser and carbon adsorber process controls; and use a halogenated hydrocarbon detector or PCE gas analyzer to detect PCE leaks, repair the leaks, and maintain records.</li> </ul>   | legal deadline/court order – 12/1/2022  |
| DMWM  | New C&DD processing rules - two rule packages. One for "standalone" facilities and one for "co-located." * once rules are final - facilities will have 180 days to submit an application for a PTI (5 years) and license.<br><br>Stand-alone new rule requirements - Permit and licensure requirement: <ul style="list-style-type: none"> <li>• Stand-alone Fees: Permit application fee: \$1,000, Permit issuance fee: \$2,000 (those are both every 5 years); License application fee: \$100, License issuance fee: \$650 (those are both every year).</li> <li>• New rule includes permit requirements, design and construction requirements, operation requirements, financial assurance, and final</li> </ul> | The standalone rule package is w/ JCARR and pending issuance (4/18/2022). The co-located rules package - under review |

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|-----|---|---|
|     | closure requirements. Application will require: survey of property and a fire prevention and response plan [chapter 400-58(H)]. |   |
| DSW | DSW 5-year review<br>Proposed Rules — General NPDES Permit Rules (OAC Chapter 3745-38)  | Interested Party - Comments due by March 29, 2022 |
| DSW | Industrial Stormwater General Permit (changes to permit)  | Proposed - new changes in GP effective 6/1/2022   |

Glorianna asked if was possible to send in a request to change air rules. Two paint booths or less to qualify for a PBR, truck painting uses less paint but needs a PTIO – could truck painting receive a PBR also? Could it be based on amount of paint used? Dan stated that we would need to start with emissions data to submit consideration request - PTE and actuals calculations and then present to DAPC.

Randy stated concern with the F006 waste exemption for HW regulations. Zinc-nickel alloy (cadmium replacement process – highly toxic) automatically makes it HW – even when it passes TCLP – only HW by statute. Zinc-cobalt received USEPA letter indicating it receives F006 classification. Samira indicated we could present to national SBEAP committee to begin discussion/process, and Dan state that potentially could partner with SBO on W., DC. Randy mentioned work national association is doing on this issue, main thrust now is PFAS/PFOS – used to pour on chrome baths to limit emissions at the source based on NESHAPs. Samira asked Randy if national association has literature/materials on F006 exemption (expansion/restrictions/inclusion of ZnNi alloy) that has already been populated by the National Association of Surface Finishing.

### Follow-up Items

Dan Sowry and Laura Klein will set up a collaboration/outreach meeting. Continue discussion regarding Glorianna’s PBR inquiry and include CO DAPC. Follow up regarding HW on F006 exemption (expansion/restrictions/inclusion of ZnNi alloy).

### 2022 Forum Schedule

Following Forums – July 13 and November 1st

### Adjourn

The forum adjourned at 11:14 am

Respectfully submitted,

Samira Deeb, OCAPP ES III/CAP Secretariat