

Permitting & Enforcement Committee Meeting  
November 9, 2004  
Lazarus Government Center  
Ohio EPA  
Room C, DAPC

**Attendees:** Co-Chairs - Jim Orlemann (CO), Jim Braun (Cleveland)  
Minutes - Ed Fasko (NEDO)  
- Jim Carney, Andrew Hall, Mike Hopkins, (CO)  
Bud Keim (Canton), Mike Riggleman, Adam Ward, (CDO), Paul Tedtman (HAMCO), Jeff Canan, Maria Cruset, (RAPCA), Joslyn Summers (Toledo), Glen Greenwood, Dean Ponchak, (SEDO), Frank Markunas, (Akron), Bridget Byrne, (NEDO), Mark Budge (NWDO), Jim Pellegrino, (SWDO), Cindy Charles, (Portsmouth)

1- Combined meeting of OLAPCOA, TSO and P&E - Frank Markunas was asked by the directors of OLAPCOA to present the suggestion of a combined meeting for the three groups. The first question was the reason for the meeting. As a working meeting, there are few tasks which are common to all groups. Updating information could be provided to the directors in either the form of minutes or as sending someone to P & E to report. The only reason to have the groups meet together would be to “break bread” Frank will check to see what the directors are looking to accomplish. The directors will be put on the mailing list for the minutes, in addition to the Air Unit Supervisors.

2- Title V Permits and issuance update

Jim Orlemann handed out 2 documents; one showing a revised list of FESOPS that are on his desk, the ones that he has reviewed are checked; either more information has been requested, or the permit has been moved to PIDM for issuance. The second list was the list of initial Title V permits that were not on our original commitment. The **FESOP** list includes facilities that have been issued synthetic minor PTI's and are now at the PTO stage. These permits will go direct final as long as the PTI went draft. Let Jim know if there are any other FESOPS that are in the DO/LAA's. Those not checked may need the supporting technical information that Jim has requested to review the terms. He reminded all that a company needing a FESOP to get out of MACT must have the FESOP issued prior to the first substantial compliance date. The **Title V** list was put together by Mike Ahern and needs to be reviewed by the DO/LAA's. There are 32 facilities listed, some with comments. These are the priority permits, Jim indicated Mike Ahern is to be notified within a week if the list is correct and the comments, such as shutdown facilities, need to be verified.

**Initial Title V** - Jim was pleased to announce that there are 6 TV of this group left to be issued; 3 at the PPP stage and 3 at the PP to final. There is still a possibility that Ohio may be the first in the region to complete the initial Title V commitment.

**TV Renewals** - CO is ready to work on renewals, Mike Ahern is working on a list that will elevate the priority for late filing.

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***TV significant mods*** - Jim indicated that these could wait for renewal, if the expiration date is less than two years out. However, if the facility needs the mod to construct and/or operate, or in the case of the mod being a result of a PTI mod, it should be worked on. In the case where the PTI mod and the Title V mod are needed to be issued concurrently, contact Mike Ahern. Jim will ask Mike to put together a list on mods, renewals and prioritize.

***State PTO's*** - There is a list of over 100 PTO's on Loretta's list to be issued. These can be worked on as time allows.

### 3 - Enforcement update

There is no update on the process improvement goals, but this year was good for enforcement. Penalties have been mitigated for the late filing of Title V renewals. The orders serve two purposes; to assess penalty and achieve compliance and specify that the company comply with the past permit. Regarding Title V for MACT area sources: Central Office's position is to extend the time line by inaction. USEPA has final call on this deferral; Feds say draft deferral should be out by deadline, but the final will not make it. CO will establish state policy. RAPCA has looked at the rule and will draft up language for CO (Abdur) to include. It was suggested that the companies be advised of the situation; but the decision to file a Title V application or not file is up to the company.

Jim indicated that starting calendar year '05 EAR w/ violations older than 18 months will not be pursued. DO/LAA's will probably have to set up some sort of internal tracking for violations - delay in EAR will result in no violations. Jim handed out a memo from Joe Kolcelik regarding the statute of limitations for Civil Cases. Jim also handed out replacement pages for the enforcement manual. There have been minor changes, and the time frame stands as follows:

30 days to send NOV (from time of discovery)

30 days for receipt (green card)

30 days to process an EAR

'04 was an excellent year for enforcement; Jim thanked all

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#### 4 - New Source Review

The engineering guide on emission factors is on hold at this time

The state regulations on new source review are in effect as of October 28, 2004. Items mentioned by Mike Hopkins were the 10 year look-back, PALS (plant applicability limit) and future projected actual. USEPA is reviewing the rules, and are not final in the SIP yet, but we should use them anyway as the state rules were written to follow the federal rules and the Feds will likely approve them. **Regarding PTI exemptions**, the threshold and PBR packages are going to be split up before the rules are proposed; the PBR rule will probably move quicker as the threshold rule appears to be more controversial. As industry and public seem to get these two rules mixed, breaking them up will help distinguish between the two. The only General Permit available so far is the natural gas fired boiler. Presently, the general permits for asphalt plants, roadways and parking areas, dry cleaners and concrete batch plants are being worked on. **Training for NSR and Title V renewal** may be combined, Misty Parson's E-mail requested attendees from the DO/LAA's. Initially early December training was planned, but now it looks like more like January. We are looking at a 2 day event, a suggestion was made about 2 - 2 day sessions.

Regarding Nox as a precursor for Ozone, Ozone non-attainment areas are considered attainment for Nox, but both VOC and Nox should be evaluated for Non-attainment NSR applicability if either pollutant is over 40 tons for a proposed modification and the facility already has a potential to emit greater than 100 tpy for either NOx or VOC. if either pollutant is over 40 tons

**RACM/BAT for portable drills.** - No update

**BAT for crematories** - No update

Break - - -

#### 5 - Multiple emissions units

Jim Orlemann had requested examples for the discussion of this topic - specifically for situations where multiple units share a common emission limitation. Jim Braun handed out an example where several emissions units shared a common limit from 17-11 and presented the scenario as follows; 6 grinding booths, Rule 17-11 combined limit of 9.5 lb/hr. Each booth has a dedicated cartridge filter for particulate control. (it was noted that this situation could also occur where just one control device is utilized for all six booths) The proposal is to have one set of terms and conditions with the listing of all applicable emissions units. Adam Ward pointed out that the PTIO project would look at situation such as this and issue a document identifying the units with one set of terms. This, however, would not be applicable to Title V facilities.

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In order for units to be considered similar for grouping, Engineering Guide #31 requires units to be physically and operationally united, and in close proximity. Fuel burning equipment can be grouped as multiple units with one allowable heat input (17-10). Another example given was identical storage tanks. The biggest challenge is how we look at BAT in these cases. If the old standard is 85 % control, and a new unit is added with BAT being set at 95%, how could we combine this if there was only one control device? A decision has to be made as to the complexity of the problem; when do we keep them together and when do we pull them out?

Possibly only when a modification is done ? The other question raised was how is a new unit added on to this group for a Title V facility. Other examples of combined units are coating lines which contain an applicator and an oven. In looking at a process line, it is a defined set of sources. It was noted that by grouping emissions, subject to 21-07(G) for example, it could make the permit more stringent by having the group of units subject to 8 lbs/hr and 40 lbs/day rather than allowing each separate unit 8 lbs/hr and 40 lbs/day.

Another example were multiple booths with a total enclosure and one limit for the one control, which we discussed at the last meeting. Akron provided an example in the plastic compounding industry consisting of two large different mixers and two small mixers controlled by a baghouse. In regard to common control of VOC, Akron provided an example of 3 distinct operations in a glove manufacturing facility controlled by a carbon absorption system. SO<sub>2</sub> emissions from mold-making machines in foundries are commonly controlled by a scrubber. Another question whether to assign a lb/hr emission limit with an associated control efficiency or establish an outlet concentration for the control device (e.g., gr/dscf or ppm).

Jim Orlemann stated that we need rule revisions for at least 35-02, 35-77 and 31-02 to allow for such grouping. Possibly for 35-02, 35-77 and 31-02 to allow for such grouping. The sub-committee must re-convene to begin crafting rule revision language for the multiple emissions unit scenarios. Jim Orlemann wants the proposed language to be generic enough to accommodate the many different possibilities that exist for these types of situations. Jim O. wants the sub-committee to begin by crafting proposed revisions to 35-02. He anticipates that each of the rules noted above will be modified in the same way to address this situation. The sub-committee will layout scenarios and address the questions regarding new installations and how they would effect the permit as well as rule revisions where necessary. Of major concern is that we want to ensure that BAT is re-evaluated whenever the grouped emissions unit undergoes a modification (e.g., adding a new unit to the group or replacing an existing unit within the group).

6 - PIDM ( formerly PMU) update - Mike Ahern not present to comment

7 - Engineering guide reviews

RAPCA - **Guide #3** - Bake off ovens, Incinerator or Process - RAPCA handed out the draft changes. Any comments should be given to RAPCA so that they may be reviewed prior to the next meeting.

NEDO - **Guide #44** - Bob Hodanbosi responded to the request regarding sign off by the director. His recommendation is that PIDM (formerly PMU) should be delegated signature authority as well as public noticing. The next step is to secure the authorization of the director. NEDO will follow up with Ahern and try to have a re-write by the next meeting.

Toledo - **Guide #2** - Issuance of PTO for SO2 sources - next meeting

CDO - **Guide #4** - VOC definition of potential to emit - They will look at this for the next meeting. The changes in 21-07 may affect this.

NWDO - **Guide #1** - PTI/PTO for non-criteria pollutants. Next meeting

**Action item - Drafts and updates should be brought to next meeting**

8 - CETA update - Adam Ward

USEPA has accepted the proposal to drop the requirement for the in depth information on the compliance tab of CETA. The tab will be modified to reflect site visit, compliance, and inspector name and date. A user's manual is being developed, training will not be required. Adam also mentioned that the PTIO group is nearly completed with the flow charts; the web site is being periodically updated, check it out. Any questions on PTIO should be referred to either Adam Ward or Erica Engle

9 - Stack Testing

Start memo - Bob Hodanbosi to sign memo.

Monitoring requirement of stack testing is at 50%. Listed in annual agreement for DO's, LAA's should check their contract.

10 - Landfill Operating Scenario -

The question remains as to who is to sign this letter. Mike Hopkins indicated he cannot locate the letter. Paul Tetman of HAMCO is to find a copy of the HAMCO generated letter and get it to Hopkins.

11 - V.E. draft Engineering Guide. (Guidance Document)

Tim Fischer of NEDO has completed his re-write and a copy was handed out. Please get comments to Ed Fasko or Tim by the end of November.

CEM procedural issues. Ed Fasko is to get with Todd Brown regarding the issues raised by NEDO with Tammy Van Walsen that were not addressed.

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12 - New Business.

Different ideas were tossed around about the central repository for guidance, permit call answers and issues resolved at the P & E meetings. Cleveland is using an intern to create an electronic database of guidance memos starting with the NSR manual. RAPCA has an electronic database of information. NEDO puts electronic documents from CO on a shared drive in the district. CO discussed the possibility of an intranet web site. PDIM (PMU) is preparing a web version of the NSR. Although the information is recorded chronologically for the P & E meetings and the permit calls, it was agreed a categorization of the information is needed. A search by keyword was suggested, and it was agreed, that unless the policy was approved as an engineering guide, the information should be internal to the Central Office (DAPC) and DO/LAA's. The further challenge is keeping the information updated. Fasko is to check with Ahern on the development of this repository; So far, the categories suggested are as follows:

- Title 5
- Stack Testing
- Inspections
- MACT

- - - - Next meeting is on January 11 at 9:30 in Central Office- Happy Holidays to all.....