

MINUTES  
PERMITTING AND ENFORCEMENT COMMITTEE

FEB.10, 2000

OEPA Central Office, Room C, 6th floor, Lazarus Government Center, 122 S. Front Street

ATTENDEES: Tammy VanWalsen (Central Office), Mike Ahern (Central Office), Jim Orlemann (Central Office), Harry Schwietering (HAMCO), Mike Hopkins (Central Office), Rick Carleski (Central Office), Todd Scarborough(CDO), Matt Stanfield (Toledo), Ken Djukic (NEDO), Jim Braun (Canton), Cindy Charles (Portsmouth), John Olaechea (RAPCA), Frank Marcunas (Akron), Mike Riggleman (CDO) and Jim Pellegrino (RAPCA).

Jim Orlemann- Director decided on 2/4/00 to include BAT on State/Federal. Anything issued draft as of June 19, 1999 would not have to be changed. Still being discussed. DAPC would like to not have to change anything that has already been issued. If the permits are here at central office, we will change it over. May present a problem for Erica to change it, still be investigated. The air toxics language will still be on State-side only. Also applies to PTI's. For new PTI's that include emissions limitations for air toxics, the applicable rule for establishing the emissions limitation is OAC rule 3745-15-07(nuisance), not BAT. For PTI's that were issued that established the air toxic limitation as BAT, the change can be made in the Title V and eventually the PTI should be modified but Central Office acknowledges that these modifications would be a very low priority. Written guidance to follow.

With respect to the nuisance rule, Jones has not yet made a final decision.

Item 1- Title V permits, Issuance deadline. No change to deadlines. Last few months our performance in issuing drafts has not been very good.

Item 2- FESOPs. 10 still pending in Central Office. FESOP fee bill pending and public hearing this month. Approved 160 FESOPs across the State so far.

Item 3-OC emissions from Asphalt plants- HAMCO initiating enforcement action against a facility based on test done last season. There are not very many test results submitted to date that would provide any guidance to test teams trying to bid on jobs relating to stack testing at this source category. Encouraged the field offices to submit the data for past tests and to require testing this season. In the follow up to the issue raised by the NEDO regarding complaints and direction on how to approach this problematic source category, Central Office has asked for permission to purchase two "ODECS."systems as an alternative to the traditional Method 9/COMS/Method 22 readings. This new technology, originally developed by NASA, is basically a digital camera mounted on a tripod. The camera is connected to a laptop computer that has been programmed to "read" opacity. The camera is "calibrated" and the pictures are taken in prescribed intervals and can be seen on the monitor screen. The potential use in many situations is exciting. Currently at least two air force bases have purchased the systems for self-monitoring of roadways, parking areas and stationary sources. The cost is much less than the traditional

COMS and can also be used to read opacity from tail pipe emissions, including that for diesel buses. The purchase order has been held up by Cindy DeWulf and the field offices were encouraged to email Cindy if they too felt that this could be an important tool for compliance assessments, particularly at the asphalt plants. Todd Brown and Cindy can be contacted for more information regarding this new system.

Item 4- MACT sources and standards- new person hired, Radhica Sastry. MACT workgroup will be revised upon hiring of the second person.

Item 5- BAT Limit for fugitive dust sources

Report being compiled by RAPCA and should be ready for distribution by the end of February.

Item 6- PMU- update from stats for January. New PTI system installed ("PTI2000"). Graphs are attached. More than 100 state PTO's were on hold for January due to the implementation of the new PTI system. These will go out during February. STARS software really showing problems and PMU is spending a lot of time chasing down Y2K issues that had not been identified during the Y2K testing. Erica working hard on each problem. While this trouble shooting is happening, we are developing the "wish list" items associated with all of the problems historically documented and new ones since Y2K. Linda Ours is going to be in charge of the STARS rebuild and also sending out the blue cards for the next fees. PMU trying to fill the fee vacancy so that Linda can concentrate on the rebuild. High priority facility list being finalized (synthetic minor, Title V, FESOPs). Second set of requests going out today to inform facilities that they are subject to the new FESOP fees. PMU will be providing the field offices these letters electronically. Instead of sending the hard copies for these mass mailings, Central Office trying to do it electronically in order to expedite the issuances and minimize the paper files. New PTI system installed everywhere except for Toledo. PTI Information form distributed for comment. Trying to keep it to one page, wherever possible. Comments should be submitted by Friday the 25th of February to Mike Ahern via e-mail. PTI 2000- problems being identified and dealt with by Susan Parkins. One of the issues that has come up is PTI modifications. Upcoming changes to make it more efficient and less problematic. Additional summary information will be provided once the PTI 2000 system is fully functional. New system will be able to track many of the internal tracking information (days in review, number of PTI's process every month, how other field offices have performed, etc.).

Item 7- New Source Review.

Mike Hopkins- air toxic issue taking up a lot of time. Utility permits have become a pretty hot issue also. New PTI system implementation. Once completing a PTI package, every field office should assign it to Mike Hopkins directly, and he will in turn, will pass it on to a staff member. In order to manage staff assignments, the PTI packages need to be sent to him directly. Direct final issuances should be assigned to the engineer who did the review initially. If that staff person is no longer working in PMU, then it should be assigned to Mike directly. Currently two vacancies for PTI reviewers. Conducting the interviews. Probably a month before they get on board. Only Misty and Alan left as experienced reviewers. Sudhir Singal in training. Major,

PSD permits still require the most work. Field offices need to be cognizant that since most of the permits are going out no review, the quality of the work at the field office level needs to be enhanced.

Questions regarding BACT/BAT and gas turbines or engines should be directed to Alan Lloyd since he has been working the most in this area. Several permits have been issued that can be used as an example.

Item 8- BAT Task force - only a few comments submitted. Ready to give it to the technical PAG. HAMCO did a pilot attempt (one asphalt plant and plastic polymer line) and had some good comments regarding the 12% and what to do when there is only one other source in the state to use as an example. Final document will be in the form of an engineering guide and can be referenced in the PTI application forms. Will be dropped from the agenda, any follow up issues can be done under the New Source Review.

Item 9- Guidance for 17-08/17-11

We discussed this in detail at the last meeting and one additional comment was received regarding the flow chart. We will be redefining the titles on the flow diagram to clarify some of the concerns regarding the use of the diagram. Tom Kalman is putting together an engineering guide. Central Office gave training for Cleveland using the same information and it was very helpful.

Item 10- concret batch plant template

Tom Mueller retiring in the next few weeks. Would like very specific scenarios that the field office would like to see the templates for. It would really help central office if the field offices would bring to us the scenarios they would like to see.

Item 11 New & old business

a- should decide on next meeting dates at this meeting rather than waiting  
Do we need to hook up with the Director's meeting or go independent? Prefer independent.  
From now on every other month, the second Thursday in the month will be the date for our next meeting.

b- Canton/Jim Braun- 17-11 cut off at 10 pounds per hour presents a problem in dealing with Title V. Should be a rule revision and to EG#28, if not, then a guidance memo to address this consistently throughout the State would be helpful. EG#28, statement that you don't use the D & E ranked emission factor, we should require them to test to determine the uncontrolled emission rate. Basic flaw with Figure II. If you go to Figure I, then you get a higher allowable than the 10 pounds per hour. Add a statement that the emission limitation is 10 pounds per hour. Slight modification of the rule and/or EG#28 would be useful. Language regarding this matter was shipped to NEDO and Stark Ceramics (Canton) permit can be distributed to all of the offices. No legal basis for them to go over 10, therefore, JO doesn't think a rule revision necessary. Jim

Braun will take a shot at revising the EG#28 to resolve the problem and he will give it to Jim Orlemann for review. To be continued at next meeting.

c) enforcement

High Priority Facility List. New policy from USEPA. No longer just “significant violators”. Now all FESOP, synthetic minor and Title V facilities are considered “high priority”. 1184 facilities versus the 714 Title V’s. No change to what happens at the field office level. The total number of sources will increase and the number will fluctuate due to changes at facilities or new facilities added or dropped. The compliance goal of 95% will not change, just the number of facilities being looked at. Quarterly noncomplying facilities report (F-4) revised to reflect the new high priority definition. Form set up so that it can be used electronically to expedite and facilitate the completion and submittal of the data. List includes check marks for facilities that are not in compliance and need to have compliance schedules and EAR’s (if not already submitted). IC means “in compliance”. List will be updated periodically. New form should be used for the first calendar quarter of 2000 (due to be submitted in April).

1999 Enforcement Report and goals/objectives for 2000

Major new objective is to eliminate all EC cases that are greater than 2 years old by the end of the calendar year. 45 cases currently on the docket that fall into this category. Susan Ashbrook of the AGO leaving on 3/1/00. Down to 2 attorneys at the AGO, but Bryan Zima has been appointed to take Susan’s place.

Discussion regarding the deviation reports from the Title V facilities. How to address the multitude of self-reports and how to decide which ones need follow up on. Must have documentation that the reports are being reviewed. Field offices will have to make their best judgements on whether or not follow up action is necessary. When in doubt, call the EC contact to discuss specific situations.

Next meeting April 13, 10:00 a.m.