

Permitting and Enforcement Committee Meeting  
Minutes for February 11, 2003  
Ohio EPA, Central Office, Room C, 6<sup>th</sup> Floor  
Lazarus Government Center  
122 S. Front Street

Attendees: Jim Orlemann, Mike Ahern and Tammy VanWalsen (Central Office), Don Waltermeyer (NWDO), Kay Gilmer & Kyle Nay (SEDO), Jeff Canan & Heather Vallance (RAPCA), Mike Riggelman & Adam Ward (CDO), Krsten Switzer & Ed Fasko (NEDO), Jim Braun (Cleveland), Adam Zolciak (Toledo), Cindy Charles (Portsmouth), Frank Marcunas (Akron), Alberta Mellin & Harry Schweitering (Cincinnati), James Pelligrino (SWDO) and Robert Zahirsky (Canton)

Item 1- Title V updates- Jim Orlemann. Next milestone date is 5/1/03. Need 79 finals by then. Possible because we should have enough in the pipeline by then. Drafts, PPP and PP has to be completed before it can go final. We have 53 drafts, 32 PPP and 1 PP that needs to go final. As of 2/4, we have 86 actions in the pipeline to meet the deadline. Need to have a buffer because some will inevitably be held up due to issues beyond our control. January schedule commitments critical to meeting the next milestone. The top priority for the next 3 weeks is the drafts on the January schedule. Mike Ahern, important to make sure that the SOB is complete and ready for issuance when the permit goes final. Necessary to satisfy the notice of deficiency (NOD). The environmental groups focusing in on the SOB, rather than the whole permit. Environmental Groups concentrating on the SOB, don't want to have to read the whole permit. The better the SOB is done, then the greater chance that questions will be addressed up front. JO- comments from the feds are always with respect to the SOB, not usually with the permit's terms and conditions. USEPA still waiving their review period in order to assist us, otherwise- we couldn't do it. Jim Braun- struggling with the scheduling of the rest of these permits. Where should the priorities be focused? JO- If we are going to meet the 5/1 schedule, we have to get the drafts identified in the January schedule out. All of the offices should be discussing the January drafts with their permit contacts in order to get them out asap. JB- it would be helpful if that priority continues to be communicated to each office. Folks get overwhelmed and jump back and forth from projects instead of completing one. It's going to be difficult with all of the conflicting priorities. JO, these commitments must be met if we are going to have any chance at all of meeting the 5/1/03 milestone commitments with USEPA.

Item 2- Enforcement Update-

Highlights from 2002- All offices should have received a full copy of the report for 2002. Record high number of cases resolved (not counting AIM years). 64 cases were resolved thru the use of Director's Findings & Orders. 112 new cases, another record (minus AIM). Backlog down to 110 at the end of 2002. Tracking of the environmental improvement high priority for the Director's office. VOC reduction high due to New Boston Coke Corporation's (NBCC) flare installation. Large cases (>\$100,000) listed in the report.

NBCC largest air penalty ever in assessed by a judge in the State's history. Objectives for 2003, more F& O's (45), 90 resolved cases, no case older than 2 years on the docket (all the Divisions met all of the goals for the Director's Office). Over \$2 million in administrative penalties. Ongoing goal to work on cases in a timely manner and calculate the environmental benefits derived from each settlement.

Brainstorming sessions re: improvements. Now the meetings will be focused on which projects will be implemented, who will do it and then implementation of the improvements. List of key items distributed to the group.

Don Waltermeyer- USEPA focusing on pet food processing places due to failure to address VOC issues. Feed mill drying operations that use boilers (indirect heat to dry the food) have significant VOC emissions. IAMs processing stinks, good chance it is VOC causing the odors. May issue the NOV to keep it in-house so that Ohio keeps the lead in the enforcement situations, encourages the other offices to look into these operations and get out the NOV's before USEPA steps in.

DOLAA's- USEPA also doing a medical waste incineration inspection sweep throughout the State and issuing NOV's. Periodic updates thru the calls with Lisa Holscher and EC contact.

Item #3- Title V modifications, Mike Ahern reporting- still working on the guide. Work flow diagram distributed to group. Pilot done on administrative modifications and didn't work too well, so more revisions being made. Different features being improved, will be working outside of STARS. Electronic versions of the draft, PPP, PP and finals will be shipped back to the field offices so that they have an electronic copy of what was issued and can start working on the next step. Field offices start the process, usually but can also be started because of an appeal, or central office receiving a renewal or modification application directly. PMU learns that a renewal or modification is necessary through a variety of sources. Once PMU aware of the action, PMU will create the document and email it to the same person who worked on the permit the first time. PMU will name it. When a draft modification is issued, the file name will change and the next step. Kyle-requests that the permit supervisor receive a copy of the email so that they know that it has been sent. Tracking of who is assigned is difficult so important to make sure the activity log is kept up to date and accurate. Thru the STARSHIP training and newsletter, the permittees have been asked to identify whether the application is for a renewal or modification. Because of appeals, there are situations where we are creating the documents from here (central office) even before the application is received. Receipt verification forms then starts the activity log and the concern is that the supervisors become the email "middle man." Will using the activity log track these permits? For Minor modifications, a new application is necessary and has to go out draft. Company must propose what they want changed thru an application. Until a final process is in place, not

pushing the renewals because the focus is on getting the first round of Title V final permits out. 45 appeals for the first 550 Title V permits issued. Some move pretty quick. Folks are working on the revisions to satisfy the AGO. Will be able to use the activity log to track it and whatever gets issued will be available thru STARS. Still working on combining the general terms with the special terms and conditions. Used the word perfect approach to the Timken permit in Canton, Bob Zahirsky indicates that Central Office may need to update training on this area because so much has changed since they started working on that permit. Lots of pressure to address the appeals while still trying to establish the procedure for issuing the modifications and renewals. Sun, MAP and PPG's first issue drafts were done this way too. DOLAA's need to know when the administrative modifications are done and why because the companies are calling and complaining. Recent rash of appeals because the end of the year issuances had the incorrect expiration dates. Some of them mad about "retroactive" effective dates. On summary page, from now on will list what the changes are included in the modification and why the changes are necessary (reopening due to typos versus modifying to address appeals, etc.) what about different versions of wordperfect? Mike Ahern - shouldn't be an issue. Renewal applications- 1) will need to add in emissions units, will look like the PTI form, 2) shut down emissions units will need to be identified, if central office builds them into the document, then DOLAA's can identify them or company will catch it when issued draft 3) we need to show some effort on working on the renewals, one of the big concerns of the Enviro groups.

NOD- USEPA sent a letter dated 2/11/03, indicating that the rule changes are acceptable, rule package to be sent out, mass mailing to go out to all facilities that already have their final Title V permits (after rule finalized probably sometime in September). Clarifies what they have to report in deviation and annual certificate of compliance. Enviro groups didn't feel that it was clear before. Annual certificate of compliance forms changed to address the issue. Will be posted before the deadline, realize that some are already coming in. New form to be presented to PAG this afternoon. Insignificant emissions units currently listed on state-only side, as part of the agreement, in renewals or modifications they will be on state-fed. side along with the PTI number.

Revised PTI application form being reviewed, waiting on JO's comments. Agency-wide core information team identifying information common to all Divisions. The cover sheet comments included that the contact name should be in the Division specific information because many companies use different contacts for the different programs. Meeting not yet established to make it final. PTI applicants should begin to use the new forms (after being 'officially' released.) Is it DOLAA discretion to accept applications if they use the old form? **Mike Ahern will check with the team, expects there will be some overlap.** Can the mod/renewal be tracked thru PTI 2000? Ahern, not allowed to use the server dedicated to PTI 2000, resource issue. Not Mike's preference, but plan is to wait until STARS is revised.

Item #4 - Landfill operations- update from Akron/HAMCO. USEPA has to approve any alternative monitoring scenarios. NSPS versus state, no response from USEPA yet. For the state ones, we will ask the Director to make a determination, Solid waste management's concern re: fires {Bob Zahirsky reported that the C&D Exit landfill is on fire right now.]

Item #5- Deviation form checklist- Jeff Canaan- Do we want to have another form that contains a checklist to attach to their form? Distributed the checklist and RAPCA's process. Basic question was how detailed of a review is occurring. CDO uses checklist and attaches it to the form that was submitted by the company. RAPCA normally just marks up the submittal itself. SEDO, in the past, just didn't have a formal procedure for evaluating the submittals but now plans on using the checklist and will keep it in the file. Verifies that the certificate has been reviewed. JO- Has to be reviewed and documented that it was done. Some folks just want to mark on the form itself and others may want to do the checklist. Either approach is fine. SEDO will use the same format that is currently used for review of the deviation reports. Would be nice to have one form to serve all. SEDO doesn't want to use anybody else's form because of the internal tracking software that they are using to evaluate all deviation reports. Ongoing evaluation. **Mike Riggelman will give an electronic version of CDO's checklist to everyone.**

Item #6-CETA-program update- Minor problems with upload of data to federal system. Offices must remember to include the pollutant of concern/regulation. Plant ID # will no longer come from USEPA, but will be automatically programmed into the CETA. Mike's group updating the manual. Bob Hodanbosi reviewing memo associated with all that needs to be inputted to CETA periodically.

Item #7- Inspection form update. Subcommittee recommendations next meeting? CDO revised form. Distributed CDO's streamlined version that matches up with the CETA screens. How can we streamline it even further? **Subcommittee to report and make recommendations at the next meeting for streamlining the form (especially for those situations where you are inspecting multiple emissions units at the same time).** Kyle, new inspection form does result in better inspections. Kyle also impressed with the dedication of each office participating on the subcommittee to make this form more efficient.

Item #8- Mike Ahern- discussion regarding portable asphalt plants-past practice of assigning only one id number to multiple facilities is totally messing up the system. Suggestion is to establish new facility id's for all of the individual facilities operating in Ohio. New system would allow us to track them more effectively. PMU will work on the plan to implement the change. Proposes to do it like we did when the NOVAA facility id's needed to be changed. SEDO has both situations, not trackable. New premise number for each plant. Companies would still be able to use the same headquarters; however each

individual operation would get it's own facility id number . Use the same code for portable (like 99 for example, 98 for concrete batch, etc.) CDO/SEDO assigning new premise numbers for each plant and also using same number for the emergency generators. Roadways, parking lots and storage piles being included in Portable asphalt plant's PTI's now. Ex. Shelley. PMU plan will also address the relocation notice issue and then it will be incorporated into the Engineering Guide currently being revised. **Mike Ahern will have something together for the next meeting regarding how to assign facility id numbers and specific process units.** General consensus that the asphalt meeting last year was very helpful and that in order to get a jump on the upcoming season another meeting should be held in March or early April at the latest. **Tammy VanWalsen to follow up on an agenda, meeting place, etc. for the next asphalt "congress".**

Item #9- 17-08/17-11- guide?

No progress to report.

Item #10- Multiple Emissions units controlled by the same air pollution control device. Don Vanterpool from the legal section has been assigned to address the legal implications of this issue. Down the road what happens if we combine them and then modifications come into play? To be carried over to the next meeting

Item #11- New business-

Draft EG re: visible emissions observation, frequency and duration. To be added to the agenda. **Offices should provide their questions and responses directly to Bob Gengerally and a revised draft will be ready for discussion at the next meeting.**

There was no one present from New Source Review. **Issues regarding NSR, MACT to be carried over to the next meeting.**

Next meeting to be held on April 8, 2003 at 9:30 a.m.