

June 10, 2003
PERMITTING & ENFORCEMENT COMMITTEE MEETING
122 S. Front Street
Lazarus Government center

Attendees: Don Waltermeyer (NWDO), Frank Marcunas (Akron), Bridget Byrne & Ed Fasko (NEDO), Adam Ward & Mike Riggemann (CDO), Misty Parsons, Rick Carleski, Mike Ahern, Jim Orlemann, Tammy VanWalsen (CO), Jim Pelligrino (SWDO), Adam Zolciak (TESD), Cindy Charles (Portsmouth), Harry Schwietering (Cincinnati), Bud Keim (Canton), Jennifer White & Chris Clinefelter (RAPCA)

Item #1- Title V permits & Issuance Updates- Jim Orlemann-As of 5/31/03, 5/1/03 commitment was met on 6/1/03. June 20, all drafts need to be in. Lists by premise number of those remaining to be issued draft. USEPA has not yet given us an extension of the 9/1/03 deadline. Internal performance standard set for Mike, Andrew and Dave (3 per week per person). Realistically speaking it will be until August 15 to get the drafts out. Mike A. only one draft issued this month. Other Region 5 states had a June 1 deadline, curious to see how they did. Should be getting information regarding the other states soon. PPP meetings going on almost everyday. Some new applications included in the list (Mike A. to revise according to the date received.) Jim Braun- the largest facilities are still outstanding, any indication as to how that will effect the larger facilities? Jo whatever the extension is, all of them will have to be done regardless of the size of the facility. Some of the complicated ones, two days set aside for the PPP meeting (Sun Oil's meeting the week of the 23rd.),

Item #2- Enforcement Improvement- two more management group meetings since the last P & E meeting. Close to finalizing the projects. Handout. Few things to highlight. Workgroups to be formed on different topics. Director's Office assigned key people, did not open it up to anyone else. 1(a)(1)- for the "minor" violations that shouldn't be referred (Curt Marshall, Don Waltermeyer, Tom Kalman, & Doug Curran). Recommendations due October 1. Will be distributed for comment. Second workgroup assigned to develop rule for minor violations. Only division that has statutory authority to do rules. Example, failure to get permits, open burning, etc. First workgroup will define those things that we don't want EAR's for and those are the ones that the second group develops a rule for. Small, less egregious violations only. Second group (tom kalman, jeanne mallet and one more person) Once they have a draft rule, it will then be distributed for comment. Joe wants a rule proposed by the end of the year. Workgroup to revise EAR form (more comprehensive). Revision being reviewed by AGO. When we send it out we will be providing guidance on how to complete the form. Will be distributed by August 1. Training. There was a lot of comments regarding training in this area. Large training (Joe called it Enforcement 101) next spring 1-2 days for all enforcement staff. Workgroup formed (Jack McManus, Curt Marshall & Paul Cree) to put together the training. By December 1 they will have together an agenda, where and when, how many days. Other items include the idea of quarterly meetings on enforcement with each office. Before we do that, Joe wants to see if the DOLAA's really want to do something like that. Joe wants input as to whether or not the field offices are interested in such visits. When we give the guidance on the EAR, DOLAA's will be encouraged to draft F & O's to expedite the process. Many offices won't be interested, EAR

prep is enough for them; however, for those offices interested, it will be encouraged and the j drive will be used to hold the documents electronically.

Item #3- New Source Review- Misty parsons- Jim Braun- Radhica has left and is this still the plan? Misty tried to talk with Abdur but wasn't able to. She has nothing new to report. MACT page of CETA will be given to Abdur to finalize. List Servers (coming up with a list of folks for specific topics.) Trying to establish a place where questions and answers can be quickly obtained and distributed. Adam (Toledo), quarterly meetings aren't as important as getting out written guidance. Trying to do a website for Title V only, guidance on permit issues, PTI's, ST & C's. Idea is that if you are working on a permit you can go to the website, see if the answer is there, if not, ask the question and if it has state-wide implications, then more formal guidance will follow. 'Frequently asked questions', etc.

Misty- nothing to report on the two Engineering guides. Nothing to report with respect to NSR.

Item #- PMU - Mike Ahern- Progress and delays in Title V modifications. Guidance sent out in May and is posted on the web page. Based on comments received from reviewers. Procedural problems with correl/computer problems has delayed getting out the procedural guidance. Sent to USEPA Whirlpool's Title V modification and got some initial feedback. SEDO has a "hot" modification that needs to be issued. USEPA suggested using bold, red-line/strike out to show changes in addition to the SOB. Sent out a revised version and got positive feedback so far. Hopefully by the next meeting we will have gotten the process down with USEPA's blessing and we can start issuing modifications and renewals. Offices are frustrated because they cannot move anything in the meantime. Now working directly with Corel programmers (theory is that FOXpro/wordperfect is corrupting the files). Whirlpool can be used as the example (up to the revised SOB). SEDO example has very few terms so may be a better example for people to use. Another option is to use the draft to PPP but has problems too. Focus still to be on initial round of Title V's? Top priorities are the initial round. Doesn't mean it is the only permits being moved. If contact has time (getting 3 drafts to Mike Ahern per week) then they can work on other permits. Jenny still assisting in the guidance memo. Mike trying to work out computer problems before finalizing the guidance document.

Last meeting sent out list of renewals and modifications in the works. Mike is making some final changes to the documents. Offices should be reviewing applications to determine completeness (which actually starts the clock for issuance within 18 months). Took that document to the PAG meeting and would like to see guidance on the web (checklist that was included in the package). Will be placing on the web guidance for the permittees so that they can use it when preparing their applications.

NOD- rule making it's way through the process. Next stage is to submit a proposed rule package to JCARR. In the Director's Office now. Public hearing probably in July/August. This needs to be done by October of this year to avoid sanctions. Email sent out yesterday that has the revised language for the Title V permits. Also addresses the changes to the last General Terms and Conditions that were revised last spring. Comments needed on that revision. PAG also commenting. Due to noon Friday the 13th. All of the changes in the General Terms done to

clarify how to report deviations. Tried to revise them so that the relationship between the general and part 3 of the e.u. specific terms. Not adding any additional but explaining how it is supposed to work.

Revised PTI application form- no word from Bob H. yet. PTI fees to be increased. Once budget approved, new fees will go into effect on July 1, 2003. Should happen automatically. Will see new categories for PTI's. Fuel operations associated with generating electricity is based on the generating capacity, not just as a process. Nothing new on grain elevators (NWDO says they have a very high fee (\$1000-\$10,000 and is very hard on them). Too late to get it in this budget but may want to consider it next round. Elisa working on getting fees updated before the July 1, 2003 new fees.

PTI revocations, on list but not a high priority.

Are we really holding back on fee invoicing? Historically while field offices are reviewing the reports, we tend to invoice them late in June and July. Legislature looking at ways of getting at our Title V fees for non-title V activities. Legislature sees money in accounts and tries to get at it or to try to justify reductions due to ignorance of how the moneys are restricted.

Item #5- Landfill Operations- None to report

item #6- Portable plants-Kenmore Asphalt terms and conditions for burner tuning issued May 8, 2003. Mar-zane letter distributed. Shelly disclosure discussed. New Jersey web-site for their rules because BACT issues are now coming up. What about the contaminated stone? When they use the contaminated stone, make them test. Adam, why can't we limit the VOC content of the raw material? Varies and may get into the problem of having the quarry complain about the loss of customers.

Item #7 VE guidance- with JO, to be distributed after he reviews it.

Item #8- CETA- #'s, upcoming visit from USEPA, audit of #'s and request for some inspection reports. Mike Matney- bad information from USEPA, originally told it was for all pollutants, now we are being told that it is only if there is a facility-wide problem. Pollutant usually associated with a violation; however, if a report isn't submitted, there is not a pollutant. Green sheets used to be used to identify what facilities have yet to submit a report, etc. Bob H. approved a team to address this issue and whether or not CETA can be used. Doesn't have to be structured rigidly. Bud, good idea to get a group together to help put it all together. Be careful when you go from tab to tab to not be in the edit function. Version 2.4 about to be released. Have users call Mike directly so that he can work through any problems directly with the users. Before we had tables and hardcopy reports now shifting to full use of CETA. Like PTI 2000 not as 'friendly' as CETA. Mike has staked his reputation on this program. Genie out of the bottle now. Committed to using this program. Anyone who has IT experience, we are going to a dot.net software and the server to make it happen. Losing a programmer and may have to tap into other DAPC experts. In general wants staff to be happy with the tools but getting a lot of negativity regarding the use of it. Wants them to feel good about it. Mike suggests that they

volunteer for the workgroup. What about the electronic submittal of reports, etc/?mike working with USEPA on that and the companies that used to fear it,, now would like to embrace it. Could be brought up with the PAG.

Item #9- Inspection Form: All offices should be routinely using the new forms. To be dropped from the agenda.

Guidance with respect to OAC rule 3745-17-08. Nothing new to report.

Multi-emission units, sharing the same air pollution control equipment. Meeting scheduled for June 20. Will provide update at next meeting.

annual certifications- can be dropped from the agenda. All 3 versions OK

Guidance distributed with respect to 40 CFR Part 64, Compliance Assurance Monitoring. CAM plan must be submitted with first renewal application, or it should be sent back as incomplete.

Next meeting on August 12, 2003