

Permitting & Enforcement Committee Meeting – July 8, 2008

Lazarus Government Center
Ohio EPA
7th Floor DAPC conference room

Attendees: Co-Chairs - Jim Orlemann (CO), Jim Braun (Cleveland)

Minutes - Ed Fasko (NEDO)

- Mike Ahern, Cheryl Suttman, Mike Hopkins, Jennifer Hunter, (CO), Luke Mountjoy, Mike Riggleman, Todd Scarborough, (CDO), Jeff Canan, Chris Clinefelter, (RAPCA), Marco Deshaies, (SEDO), Peter Park, (Toledo), Frank Markunas, (Akron), Anne Chamberlin, (Portsmouth), Mark Budge, (NWDO), Paul Tedtman, (HAMCODOES), Bud Keim (Canton), Ralph Witte, (CO/OCAPP),

1. **Enforcement issues** - Jim Orlemann

Jim Orlemann handed out his enforcement numbers with graphs, in addition to a summation of the inspections and percentages by office completed so far this year. We started out with 44 old cases and are now down to 31, with a goal of 0 by the end of the year. He also provided a schedule for completing old cases. Jim also handed out a copy of HB 285 which was signed into law on June 17. This should go into effect on September 15. The bill allows for first time paperwork violations at small businesses to have the fines waived. There are some exceptions to this such as when a first responder or resident would be put at risk if the report was not filed. (Risk management plans and asbestos notifications could be an example). The director is trying to determine how this will apply and what to put on the web site in relation to this. In regard to inspections, Jim indicated that these number would be watched on a monthly basis to make sure that the goals are reached. All inspection should be entered into CETA by October 30. Again, it is acceptable to switch the inspections as long as the goal to meet 100% of the Title V's over two years and 100% of the FESOPS/Synthetic Minors in five years is not compromised.

Action Item: Keep on top of inspection commitments.

2. **New Source Review** - Mike Hopkins

Mike indicated the federal register May 16, 2008 posted the new PM2.5 NSR rules. For Ohio, the PSD portion is not effective until we revise our rules. We have until 7/15/11 to revise the rules. The NNSR portion (Appendix S) become effective tomorrow, 7/15/08. Beginning tomorrow, we will be using the Appendix S rules, as amended, for NNSR. This means we will using the following major source thresholds for PM2.5 NNSR:

either 100 T/Y PM2.5 (filterable only), or
100 T/Y SO₂
(NO_x will not be a trip level until we revise our rule)

For the significant emission rate:

10 T/Y PM2.5 (filterable only), or
40 T/Y SO₂
(No significant emission rate for NO_x until we revise the rule)

He did point out that for PM 2.5, NOX and Sox credits can be used, but in a ratio; that is 40 tons SOX for 1 ton of PM2.5 and 200 tons of NOx for 1 ton of PM 2.5. VOC offsets are also being considered, but would have to show that NOx is not that important for the region. For PSD, we continue to use the surrogate policy of PM 10 for PM 2.5, but for NNSR we use direct PM 2.5. At this time we will be using only the front half of PM 2.5 since a method has not yet been approved; but the back half will be included by 2011, or sooner if a method is accepted. Robin Kenny is handling the changes in the states NSR rules. Contact her with any issues that may create problems.

The issue of retrofitting an older dry cleaning machine with a carbon absorber was brought up. Ohio lacks the delegation for the area source MACT, but Mike feels that if the retrofit meets the requirement it should be OK and the state should be able to make the decision. Further, since a MACT applies to a facility, SB265 is overridden. The PBR and general permits will be updated. The NSR write up should be included in STARS 2 as an attachment, as would be calculations and modeling. Items that are going to be issued with the permit terms should be in the permit strategy document. He is going to verify this with Erica.

3 **STARS2 and permit issuance update – Mike Ahern**

Mike indicated that the big push to issue permits in the old system resulted in an issuance of 515 State PTO's in May alone. Since the start of STARS in '95 till its end, we have issued 9400 fee reports, over 10,000 state PTO's 1400 registrations and 991 final TV. Permits are going to be posted on the web, though the format may change. Mike also discussed the macros that are used to transition from HTML to Word. He said they can develop additional macros if a situation warrants one. He also mentioned that responsible officials may not have been. If a company is having problems establishing this status, they will have to get the right information so access to gateway can be resolved. Generally, the responsible official is VP or above, who can delegate authority. The responsible official must be a duly authorized official having overall control over facility operations. The corporate officer gets the initial access and makes the delegation.

Linda Ours spoke of some issues on STARS2 along with Mike. Specifically, she spoke about how an amended DAPC application can be used to get EU's into a permit that was migrated missing a few things. It is important that the facility profile be modified if necessary to pull those units into an amended application. She also spoke of bulk operations as a tool to modify assignments. If you change by bulk operations, only future assignments will be affected. The migration was done at the county level, and this is where bulk operations tool is most effective. Do a role at a time. Select the criteria and make the change. When you make a change in a role, do it on the facility level, as from the to-do list will only change that particular task and future tasks will remain assigned per the facility level user roles. When changes are needed on a specific permit or assignment, re-assign or self assign can be used. The loop back feature is not working, loop back is not the same as self-assign or reassign. Management reports is a feature that Central Office can expand upon, and develop new reports which may be of value to the DO/LAAs. If you get an error message, you can print the screen and send it to Linda. There will be bugs, and we need to work together to get control of them. The internal answer place on the DAPC guidance web page has lots of help. Central office will be developing video training. If you have any suggestions for specific training, send them to Erica. Clone Workflow is a tool that can be used when EU's in a PTIO have to follow a different workflow. To add EU's, they must exist in the facility profile. STARS2 will assign facility ID's to new facilities.

Linda will contact the field offices to see what numbers each one will start at. The "96" to "99" codes in the city area of the facility ID will no longer be used to designate portable facilities. STARS2 has an option to indicate if a source is portable. Mike Ahern indicated we do have the capability to issue permits daily. He also suggested the review option in Word be used for bold/strikeout in PTIO mods.

4. Engineering Guide update-

- #6 - PTI for Coal to oil conversion - Cleveland - Mike Hopkins is looking at this.
- #9 - PTI/PTO Determinations for grain dryers - NWDO - Don Waltermeyer and Jim Orlemann have had some discussion on this.
- #16 - Conditions requiring additional testing - NWDO – Comments should be sent to NWDO by August 29.
- #18 - SO2 compliance determination for boilers – No Update, Joselyn has left the Toledo Air Program.
- #20 - VE limits, determination for stack sources - Akron - No progress
- #23 - Significant figures for TSP emission limitations - SEDO – No update
- #24 - Application of Fugitive Dust Requirements to Affected Facilities - Toledo - no progress
- #25 - Determination of source numbers and Permit fees for fugitive dust sources - Cleveland – Starting to work on this.
- #26 - Inclusion of weight of water in the weight of "refuse" charged for incinerators.- NEDO – Should be getting a work group together soon.
- #27 - Determination of Heat input during a boiler stack test - RAPCA – RAPCA handed out new draft. They would like comments by June 15. No comments received.
- #44 - Portable Plants - NEDO – Jim Orlemann reviewed the final document. Changes mostly administrative. Changes made and Jim to recommend issuance.
- #53 - Open Burning Standards - Central Office - Hearing resolved; no progress on guide
- #70 - Toxics – Hopkins reviewing; #69 may need changes due to changes in #70. -
- #74 - Classification of PM - Central Office -. Andrew Hall and his group can start working on this now that the Feds have passed the PM 2.5 rules..
- #75- New guide for crushers and non-metallurgical material - NSPS OOO - Mike H. - no progress
- #28 Methods for Ascertaining the Uncontrolled Mass Rate of Emission for Figure II and #29 Applicability of the PTI Rules to Increases in Capacity of a Derated Boiler - assigned to CDO.

-The BAT rule development package has been prepared and is with the director; and will be discussed with Mike Hopkins and Andrew Hall before being distributed to the Field office volunteers.

-There has been no progress on the 21-07 guidance.

-General Permit and PBR project. See list at end of document. Jennifer Hunter recommended that we avoid anything that is a synthetic minor or needs modeling. The Boiler GP has a restriction to avoid modeling, not being a true synthetic minor, a General Permit worked out OK here. She also indicated that PBR terms should be presented in 8-12 weeks or wait for a year because of rule passage. A suggestion is to start with the qualifying criteria for general permits that already exist to see if the group you are working on would truly make a good candidate for a general permit.

-An E-mail group may replace the existing listserve for guidance,

5. **Terms and Conditions** - Cheryl Suttman

Cheryl handed out a listings of updated terms and conditions. She noted that the reporting requirements for CEM and COM have to remain at quarterly. However, 3 quarterlies and a PER could be accepted if the PER is timely. She also handed out the vacated boiler MACT placeholder terms, as well as the reporting requirements for PTI's PTIO's and FEPTIO's. She is also working on the 31-03 permanent exemption and the area source MACT update as well as the 21-09 and BBBB BBB conflicts. Further, MACT terms will not be converted to Word as we should be going to inclusion of MACT by reference. If you do need the terms in Word, use the the conversion procedure that we are using for terms from older permits.

Next meeting is July 8, 2008

General Permit or Permit-by-rule Development

The purpose of this work effort is to continue to develop GPs and PBRs so as to improve the permitting efficiency of DAPC statewide. If an individual or field office would like to assist in this task please feel free to pick a category. There is no specific deadline that must be met but as a guideline 6 -12 months would be reasonable and a good goal. This effort will be discussed and coordinated at the P&E meetings. Please inform Mike Hopkins or Mike Riggleman if you plan to work on a category.

The following table contains a listing of suggested new permit-by-rule or general permit categories. These categories were suggested by Ohio EPA district office or local air authority permit writing staff. The GP and PBR check boxes are suggestions for the type of permit process that are suggested for the source type. Suggestions for new categories can be proposed at the P&E meetings. Please find below a list of criteria that can be used when determining whether the category should be a GP or PBR.

Source Type	GP	PBR	Field Office	Action status
Human Crematories		X	Cleveland	Assigned
Pet Crematories		X		
Small paper/cardboard type waste incinerators		X		
Grain Dryers		X	NWDO	
Country Grain Elevators	X			

Material Storage Piles		X		
Tire Shredders		X		
Enclosed Waste Transfer Stations	X			
NSPS Kb Storage tanks, with reporting requirements only		X		
Greenhouse coal-fired boilers (low sulfur coal)	X			
Paint burn-off ovens		X		
Dry fertilizer plants (or parts of them)	X			
Wood Tub Grinders		X	CDO	Assigned
Torch cutting		X		
Molding operations	X			
Organic Compound Clean-up processes	X	X		
Asphalt plants	X			
Additional paint booth categories	X	X		
Diesel engines/generators			SEDO, NEDO	Assigned
Aggregate facility				

General comments to consider:

1. Human/pet crematory furnaces, paper/cardboard incinerators and part hook burn-off ovens are good PBR categories. However, although emissions are not a problem, the need to stack test may be a concern. PBRs do not, and should not, be for sources that require stack testing. If DAPC makes a collective decision not to require stack testing, then proceed with PBR. If not, consider general permit.
2. Grain dryers are subject to NSPS Sub DD if elevator storage capacity exceeds 2.5 million bushels. The NSPS also applies to grain receiving, loading, and all handling operations. With the exception of the natural gas boiler/heater PBR, all PBR's were written to avoid any NSPS rules. DAPC needs to decide if a PBR can be used for a NSPS source, especially if the NSPS requires special reporting, testing, etc.
3. Not sure if tire shredders is a good PBR category. I don't think there are many in the state, similarity in design, controls, etc.
4. NSPS Storage tanks – good PBR category as long as the PBR qualifications limit the eligible tanks, i.e., only fixed roof tanks, no tanks w/floating roofs or vapor recovery systems required, etc. Including all tanks would be way too complicated for the PBR.
5. Tub grinders – main pollutant concern seems to be NOx from integral diesel engine. However, fugitive dust from the grinding may be a big compliant issue. Units typically don't operate many hours per year and many are portable. Suggest asking Akron LAA for their experience in dealing with these units.
6. Suggest torch cutting be a permanent exemption under 31-03, not PBR or GP.

7. What kind of molding operations? A good GP category is for reinforced plastic composites, (fiberglass bathtubs, whirlpools, sinks, swimming pools, etc.) With the recent 21-07 revisions, these operations are subject to the RPC MACT subpart WWWW. Most of these facilities could use a facility-wide, synthetic minor GP to keep styrene emissions under 10 tpy.
8. Low-usage paint booths are a good PBR category (many exist, individual emissions low, common design, etc.) but several new area source NESHAP rules really complicate the requirements. DAPC needs to decide if PBR is a good vehicle for sources subject to area source NESHAPs.
9. Non-emergency use diesel engines – good PBR category. Main concern is staying under 25 tpy for NOx, which often necessitates an operating hours restriction. Size of engine varies, affecting emissions. PBR should be for all piston IC engines, not turbines, regardless of the power application (i.e, generator, pump, compressor, crusher, etc.)
10. Country grain elevators – it would be nice to have one facility-wide GP that covered grain receiving, loading, handling, drying, and roadways. Then the industry would get a long-desired break on permit fees.

Existing General Permits

Boilers (nat. gas and oil 10- 45mmBtu)
Drycleaning Operations
Miscellaneous Metal Parts Painting Lines
Ready Mix Concrete Batch Plants
Unpaved Roadways and Parking Areas
Paved Roadways and Parking Areas
Storage Piles

Existing Permit by Rule

Auto body shops
Gasoline Dispensing Facilities (both stage I and II)
Boilers and heaters (nat. gas 10mmBTU - 100mmBTU)
Printing facilities (small and midsized)
Emergency generators/pumps/compressors
Resin compression/injection molding
Crushing/screening equipment
Soil remediation activities

Criteria for determining whether a category should be a GP or PBR:

General Permit

-there are a fair number of sources that are similar in design and operation;

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- air emissions do not exceed NSR and PSD thresholds;
- allows for stack testing;
- can be a synthetic minor

- there are a fair number of sources that are similar in design and operation;
- the sources have few applicable air pollution regulations;
- the regulations are not likely to change;
- the emissions from the sources are well defined and the sources do not have the potential to emit large quantities of air emissions, < 25 TPY PTE;
- the sources do not need to employ add-on pollution control devices;
- the sources do not require stack testing; and
- the sources employ a proven type of technology or clean design which is unlikely to change significantly in the near future.

Permit by Rule