

Public Hearing
Ohio Environmental Protection Agency
Five-Year Rule Review of Ohio Administrative Code (OAC) Chapter 3745-17
(OAC rules 3745-17-01, -02, -03, -04, -05, -07, -08, -09, -10, -11, -12, -13, and -14)

Notice is hereby given that the Ohio Environmental Protection Agency, Division of Air Pollution Control (DAPC) has performed a review of the above-referenced rules primarily to satisfy the requirements of Section 119.032 of the Ohio Revised Code (ORC) for a five-year review. The DAPC has determined that OAC rule 3745-17-05 is no longer necessary and should be rescinded and that OAC rules 3745-17-01, -02, -03, -04, -07, -08, -09, -10, -11, -12, -13, and -14 are necessary and need to be amended. The following briefly summarizes the proposed revisions of the rules within OAC Chapter 3745-17:

► **-17-01 (Definitions.)**

New definitions have been added to the rule for "OEPA" or "Ohio EPA," "PM_{2.5}," and "PM₁₀;" and the definition for "total suspended particulates" has been deleted. Also, an incorporation-by-reference section has been added at the end of the rule to fulfill the requirements of ORC 121.72.

► **-17-02 (Ambient air quality standards.)**

The current NAAQS for PM_{2.5} have been added to the rule.

► **-17-03 (Measurement methods and procedures.)**

As a result of the proposed changes to paragraph (I) [for Ford Motor Company, Cleveland Casting Plant] of rule 3745-17-12, and the proposed changes to paragraphs (B) [for International Mill Service, Incorporated], (D) [for Standard Slag Company], and (E) and (F) [for Wheeling-Pittsburgh Steel Corporation] of rule 3745-17-13, the compliance method paragraphs in this rule that relate to those proposed changes have been updated.

► **-17-04 (Compliance time schedules.)**

Paragraph (B)(6) of this rule specifies the compliance deadlines for sources that are subject to the requirements of existing rule 3745-17-12, and paragraph (B)(7) of this rule specifies the compliance deadlines for sources that are subject to the requirements of existing rule 3745-17-13. The proposed changes to paragraph (B)(6) relate to the Ford Motor Company, Cleveland Casting Plant. The proposed changes to paragraph (B)(7) relate to the International Mill Service, Incorporated, Standard Slag Company, and Wheeling-Pittsburgh Steel Corporation.

In both paragraphs (B)(6) and (B)(7), several references to paragraphs in rules 3745-17-12 and -13 have been deleted because either the sources addressed in the paragraphs have been permanently shut down or the paragraphs in those rules have been renumbered due to proposed changes, in which case the changed paragraph numbers have been added to paragraphs (B)(6) and (B)(7).

Also, in proposed rule 3745-17-13, the requirements for several sources at the Wheeling-Pittsburgh Steel Corporation have been changed to be more stringent than those in the existing rule. Paragraph (B)(7) has been changed to reference the paragraphs within proposed rule 3745-17-13 that contain the more stringent requirements and to change the compliance deadline from "April 1, 1993" to "not later than the effective date of this rule."

► **-17-05 (Non-degradation policy.)**

This rule, which consists of only one sentence, has been recommended for rescission because it has been determined that the rule is no longer a necessary part of the State's air pollution control program.

- ▶ **-17-07 (Control of visible particulate emissions from stationary sources.)**
New exemptions from the 20% and 60% opacity limitations have been added to this proposed rule for the kilns at the Martin Marietta Magnesia Specialties, Inc. facility in Woodville. The company has submitted information that supports the need for start-up and shutdown exemptions for any kiln controlled with a baghouse to prevent damage to the baghouse due to blinding of the bags. The company also has submitted information that supports the need for a start-up exemption for any kiln controlled with an ESP to prevent possible explosions within the ESP due to high concentrations of combustibles resulting from the incomplete combustion of coal or petroleum coke.
- ▶ **-17-08 (Restriction of emission of fugitive dust.)**
In the existing rule, the blast furnace and basic oxygen furnaces at the AK Steel Corporation's Middletown Works are exempted from the requirement to employ reasonably available control measures to control the fugitive dust emissions from these sources. In the Consent Order that was entered in the Butler County Court of Common Pleas on March 31, 2004, the company agreed that the exemptions would end after the new controls were installed to comply with the MACT standards for the iron and steel industry. Therefore, because the installation of the MACT controls has been completed, the exemptions in paragraph (A)(3)(b) of proposed rule 3745-17-08 have been deleted, in accordance with the Consent Order.
- ▶ **-17-09 (Restrictions on particulate emissions and odors from incinerators.)**
The only changes to this rule involve corrections to the citations at the end of the rule of the amplifying and authorizing statutes.
- ▶ **-17-10 (Restrictions on particulate emissions from fuel burning equipment.)**
The only changes to this rule involve corrections to the citations at the end of the rule of the amplifying and authorizing statutes.
- ▶ **-17-11 (Restrictions on particulate emissions from industrial processes.)**
New RACT requirements have been added to the rule for surface coating processes (painting operations). Any surface coating process that is not exempted by this rule must be controlled by means of a particulate filter, waterwash, or equivalent control device and must comply with specific work practices relating to the operation, maintenance, repair, and inspection of the control devices. Several exemptions have been provided in the rule for small surface coating processes, i.e., those surface coating processes that would generate minor to negligible amounts of coating overspray.

When these new RACT requirements become effective, Figure II and Table I of this rule will no longer be applicable to surface coating processes, and, as a result, the surface coating processes will not have allowable particulate emission limitations.
- ▶ **-17-12 (Additional restrictions on particulate emissions from specific air contaminant sources in Cuyahoga County.)**
The significant changes to this rule are contained in paragraph (I). This paragraph specifies control requirements for various sources at the Ford Motor Company, Cleveland Casting Plant. Since the original promulgation of this rule, a substantial number of the sources identified in paragraph (I) have been permanently shut down. Also, in complying with the MACT requirements, the company replaced two existing cupolas with new cupolas and rerouted the emissions from several associated sources to different control devices than those mentioned in existing paragraph (I). All the proposed changes to paragraph (I) address the sources at the facility that have been permanently shut down and the sources that are now being controlled with different control devices. All of these proposed changes have been requested by the Company.

► **-17-13 (Additional restrictions on particulate emissions from specific air contaminant sources in Jefferson County.)**

Existing paragraphs (B) and (D) of this rule specify control requirements for sources at International Mill Service, Incorporated and Standard Slag Company, respectively. These two paragraphs have been deleted because the two companies have been permanently shut down.

The other significant changes to this rule concern the Wheeling-Pittsburgh Steel Corporation facilities located in Steubenville (existing paragraph (E)) and in Mingo Junction (existing paragraph (F)). Several of the sources at each of these facilities have been permanently shut down, and the company has requested that the references to those sources be deleted. In addition, the company has requested that the emission limitations for several of the remaining sources at the two facilities be changed. For some of the remaining sources, the proposed emission limitations are more stringent than the existing emission limitations, and for other sources the proposed emission limitations are less stringent.

► **-17-14 (Contingency plan requirements for Cuyahoga and Jefferson Counties.)**

The term “total suspended particulates” has been deleted from this rule and replaced with “PM10.” A new definition for PM10 has been added to proposed rule 3745-17-01.

In addition to the above-mentioned changes for proposed rules 3745-17-01, -02, -03, -04, -07, -08, -11, -12, -13 and -14, those proposed rules also include corrections to the citations at the end of the rules of the amplifying and authorizing statutes.

Pursuant to Section 121.39 of the Ohio Revised Code, DAPC was required to consult with interested parties affected by the rules before the Division formally adopts them. On April 11, 2007, these rules went out for a 30-day review by interested parties.

Pursuant to Section 119.03 of the Ohio Revised Code, a public hearing on these rule changes will be conducted on Friday, October 19, 2007 at 10:00 a.m. in Conference C at Ohio EPA, Lazarus Government Center, 50 W. Town Street, Suite 700, Columbus, Ohio.

Pursuant to Part D of Title I of the Clean Air Act, Ohio EPA is required to establish a State Implementation Plan (SIP) for the attainment and maintenance of the National Ambient Air Quality Standards (NAAQS). The above-mentioned rules are a part of Ohio's SIP, and the proposed amendments will be submitted to USEPA as a modification of the SIP. The above-mentioned hearing shall be considered the public hearing for the SIP submittal.

All interested persons are entitled to attend or be represented at the hearing and give written or oral comments on these rule changes. All oral comments presented at the hearing, and all written statements submitted at the hearing or by the close of business on Friday, October 19, 2007 will be considered by Ohio EPA prior to final action on this rule. Written statements submitted after Friday, October 19, 2007 may be considered as time and circumstances permit, but will not be part of the official record of the hearing.

These rules are available on the Ohio EPA DAPC Web page for electronic downloading by clicking on “regulations” under the “topics” drop-down box. The URL is: <http://www.epa.state.oh.us/dapc/regs/regs.html>. Once at the webpage, please scroll down to the information dated September 12, 2007 under the heading for OAC Chapter 3745-17.

Questions regarding accessing the web site should be directed to Arunee Niamlarb at 614-728-1342. Other questions or comments about these rules should be directed to Jim Orlemann as follows: by phone –614-644-3592; by e-mail– jim.orlemann@epa.state.oh.us; or by regular mail – James A. Orlemann, Ohio EPA, Division Air Pollution Control, Lazarus Government Center, P.O. Box 1049, Columbus, Ohio 43216-1049. Persons submitting comments electronically are encouraged to follow-up with a hard copy via regular mail.