

# Hearing Summary

Rule Package: OAC Ch 3745-21 Proposed Amendments

Original filing date: November 29, 2018

Public comment start date: November 29, 2018

Public comment end date: January 7, 2019

Public hearing date: January 7, 2019, 10:30 AM OEPA central Office, Columbus, Ohio

List of Rules: OAC Rules 3745-21-09, -10, -25, -26, -28, -29

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Were there any participants in this public hearing beyond Ohio EPA staff or JCARR staff?

☐ Yes

☒ No

Were there comments received during the public comment period outside of those presented at this hearing?

☐ Yes

☒ No

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This hearing summary has been compiled to meet the requirements of Section 119.03 of the Revised Code.

This hearing summary includes this cover sheet and the following attachments:

1. **Attachment A** - A copy of the public notice for this hearing.
2. **Attachment B** - A copy of the script read into the record to begin and end the hearing.

Ohio EPA's response to comments document includes the comments received, who commented, the agency response to comments, and a statement of whether or not the rule was changed due to the comments.

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Ohio EPA digitally records all public hearings for rules. The digital recordings are available upon request in a WAVE (.wav) file format. These recordings may be sent out for transcription if necessary.

**Public Notice**  
**Ohio Environmental Protection Agency**  
**Proposed amendment of Ohio Administrative Code (OAC) rule 3745-21-09, OAC rule 3745-21-10, OAC rule 3745-21-25, OAC rule 3745-21-26, OAC rule 3745-21-28, and OAC rule 3745-21-29**

Notice is hereby given that the Ohio Environmental Protection Agency, Division of Air Pollution Control (DAPC) proposes to amend Ohio Administrative Code (OAC) rules 3745-21-09, Control of emissions of volatile organic compounds from stationary sources and perchloroethylene from dry cleaning facilities; 3745-21-10, Compliance test methods and procedures; 3745-21-25, Control of VOC emissions from reinforced plastic composites production operations; 3745-21-26, Surface coating of miscellaneous metal and plastic parts; 3745-21-28, Miscellaneous industrial adhesives and sealants; and 3745-21-29, Control of volatile organic compound emissions from automobile and light-duty truck assembly coating operations, heavier vehicle assembly coating operations, and cleaning operations associated with these coating operations. The following amendments are proposed:

- typographical and reference corrections in OAC rules 3745-21-09 and 3745-21-29;
- approval of an alternate monitoring, record keeping and reporting plan for a facility and adding an OAC rule 3745-21-29 exemption in OAC rule 3745-21-09;
- adding an OAC rule 3745-21-29 test method in OAC rule 3745-21-10;
- adding paragraph (F)(3)(c) of OAC rule 3745-21-25 as a compliant emissions estimation procedure in OAC rule 3745-21-25(F)(3);
- adding an exemption to OAC rule 3745-21-26 for sources subject to OAC rule 3745-21-25;
- revising OAC rule 3745-21-26(G)(2) to avoid confusion on record keeping and reporting requirements;
- adding a provision to OAC rule 3745-21-28 to allow for alternative limits; and,
- removing the bulk gasoline terminal loading rack testing requirements to maintain ninety per cent of the maximum throughput and at least eighty thousand gallons throughput.

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 March 21, 2018, 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 **Monday, January 7, 2019 at 10:30 AM** at Ohio EPA, Lazarus Government Center, 50 W. Town Street, Suite 700, Columbus, Ohio. All visitors to Ohio EPA must register at the Security desk in the lobby upon arrival. Please bring photo identification (such as a valid driver's license). For security reasons, visitor's are required to wear their badge at all times while in the building. Please arrive early to complete these procedures.

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 January 7, 2019, will be considered by Ohio EPA prior to final action on this rule. Written statements submitted after January 7, 2019, 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 DAPC's Web page for electronic downloading. The URL is: <http://epa.ohio.gov/dapc/DAPCrules.aspx> and see the information under the "proposed rules" tab. Questions regarding accessing the web site should be directed to Paul Braun at 614-644-3734; other questions or comments about these rules should be directed to Michael Maleski at Ohio EPA, (614) 644-1961, [michael.maleski@epa.ohio.gov](mailto:michael.maleski@epa.ohio.gov), or mailed to Michael Maleski, Ohio EPA, Division Air Pollution Control, Lazarus Government Center, P.O. Box 1049, Columbus, Ohio 43216-1049.

BEFORE THE Ohio Environmental Protection Agency

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DAPC VOC RACT RULES HEARING

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PROCEEDINGS

before the Ohio Environmental Protection Agency, at  
the Ohio Environmental Protection Agency,  
50 West Town Street, 6th Floor, Hearing Room A,  
Columbus, Ohio, called at 10:30 a.m. on Monday,  
January 7, 2019.

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FRALEY, COOPER & ASSOCIATES  
222 East Town Street, Second Floor  
Columbus, Ohio 43215-4620  
(614) 228-0018 (800) 852-6163

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Monday Morning Session,

January 7, 2019.

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HEARING OFFICER: My name is Mary McCarron. I will be presiding over today's public hearing. The purpose of the hearing today is to obtain comments from any interested persons regarding Ohio EPA's proposed rules.

Ohio EPA Division of Air Pollution Control is proposing to amend the following rules of the Ohio Administrative Code Chapter 3745-21-09, 10, 25, 26, 28 and 29. These rules regard volatile organic compound emissions and controls.

The Clean Air Act requires Ohio EPA to establish a State Implementation Plan, or SIP, for the attainment and maintenance of the National Ambient Air Quality Standards. This rule is part of Ohio's SIP and the proposed amendments will be submitted to U.S. EPA as a modification of the SIP. This hearing is the public hearing for the SIP submittal.

These rules have been filed with the Joint Committee on Agency Rule Review. Copies of the rules are available for public review at Ohio EPA's

1 Columbus office and on our website.

2 All interested persons are entitled to  
3 attend or be represented and to present oral and/or  
4 written comments concerning the proposed rules. All  
5 written and oral comments received as part of the  
6 official record will be considered by the director of  
7 Ohio EPA. To be included in the official record,  
8 written comments must be received by Ohio EPA by the  
9 close of business today, January 7th, 2019. At this  
10 time, there's nobody present to provide testimony, so  
11 we'll go off the record until 11:00.

12 (Recess taken.)

13 HEARING OFFICER: The time is now 11:01,  
14 and this hearing is adjourned.

15 (The public hearing was concluded at  
16 11:01 a.m.)

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## CERTIFICATE

I do hereby certify that the foregoing is  
a true and correct transcript of the proceedings  
taken by me in this matter on Monday, January 7,  
2019, and carefully compared with my original  
stenographic notes.

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Cynthia L. Cunningham

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