



**Environmental
Protection
Agency**

Hearing Summary

Rule Package: Emergency Episode and Air Quality Standards

Original filing date: 09/16/24

Public comment start date: 9/16/24

Public comment end date: 10/25/24

Public hearing date: 10/25/24

List of Rules: 3745-25-01, 3745-25-02, 3745-25-03, 3745-25-04 and 3745-25-05

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

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 sign-in sheet for this hearing.
3. **Attachment C** - 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.

Ohio EPA digitally records all public hearings for rules. The digital recordings are available upon request. These recordings may be sent out for transcription if necessary.

Public Hearing
Ohio Environmental Protection Agency
Five-Year Rule Review of Ohio Administrative Code (OAC) Rule 3745-25,
Emergency Episode and Air Quality Standards

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 106.03 of the Ohio Revised Code (five-year review). The DAPC finds the following rules to be necessary and with need for changes. The DAPC proposes to amend Ohio Administrative Code (OAC) rules 3745-25-01, 3745-25-02, 3745-25-03, 3745-25-04 and 3745-25-05 that relate to emergency episodes and air quality standards. The amendments are being proposed to adjust the annual PM_{2.5} ambient air quality standard from 12.0 ug/m³ to 9.0 ug/m³ consistent with U.S. EPA's recent promulgation (89 FR 16202) of the updated standard. Additionally, all rules have been updated to reduce regulatory burden.

Pursuant to Section 121.39 of the Ohio Revised Code, DAPC was required to consult with interested parties affected by the rule before the Division formally adopts them. On June 21, 2024, this rule went out for a 30-day review by interested parties.

The public comment period will run until October 25, 2024. A public hearing on this proposed rulemaking will be held to consider public comments in accordance with Section 119.03 of the Ohio Revised Code. Ohio EPA will be holding an in-person and virtual public hearing on the rules on October 25, 2024 at 10:30am. The in-person hearing will be at the same time and date and will be located at Ohio EPA, Suite 700, 50 W. Town Street, Columbus, Ohio 43215. During the hearing, the public may submit written comments on the record about the proposed rules if participating virtually and verbally if participating in person.

Citizens who want to participate virtually must register in advance for the meeting at: <https://attendee.gotowebinar.com/register/2768525640746349662>

Registration for the in-person hearing is not required. Citizens intending to give testimony at the hearing should notify the Ohio EPA Public Interest Center, P.O. Box 1049, Columbus, Ohio 43216-1049, (614) 644-2160 or by emailing mary.mccarron@epa.ohio.gov. Prior registration will ensure that registrants are heard ahead of those individuals who register at the hearing. Oral testimony may be limited to five minutes, depending on the number of persons testifying. All interested persons are entitled to attend or be represented and to present oral and/or written comments concerning the proposed rule making.

Written testimony can be emailed to DAPC-Comments@epa.ohio.gov or be sent to the attention of Andrew Kollar at the Division of Air Pollution Control, P.O. Box 1049, Columbus Ohio 43216-1049. Written comments may also be submitted to the Hearing Officer at the public hearing. Written testimony will receive the same consideration as oral testimony. All testimony received at the hearing or by close of business on October 25, 2024, will be considered by Ohio EPA prior to final action on this rulemaking proposal. Written comments submitted after this date may be considered as time and circumstances permit.

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 William Kenny at 614-644-2039; other questions or comments about these rules should be directed to Andrew Kollar at Ohio EPA, (614) 644-4835, Andrew.kollar@epa.ohio.gov, or mailed to Andrew Kollar, 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.

The proposed rules are also accessible on DAPC web page at <https://epa.ohio.gov/divisions-and-offices/air-pollution-control/regulations/proposed-rules/dapc-proposed-rules>.

To request a reasonable accommodation due to a disability, visit <https://epa.ohio.gov/ada>

Attendee Report: Public Hearing: Air Emergency Episodes Rules (Statewide)

Report Generated:
10/25/2024 03:09 PM EDT

| Webinar ID | Actual Start Date/Time | Duration | # Registered | # Attended | Clicked Registration Link | Opened Invitation |
|-------------|-------------------------|------------|--------------|------------|---------------------------|-------------------|
| 391-760-187 | 10/25/2024 10:25 AM EDT | 36 minutes | 1 | 1 | 1 | 0 |

Staff Details

| Attended | Interest Rating | Last Name | First Name | Email Address | Role | Join Time - Leave Time (Time in Session) |
|----------|--------------------------|-----------|------------|----------------------------|--------------------|--|
| Yes | Not applicable for staff | McCarron | Mary | mary.mccarron@epa.ohio.gov | Organizer | 10/25/2024 10:25 AM EDT - 10/25/2024 11:00 AM EDT (36 minutes) |
| Yes | Not applicable for staff | Payton | Amanda | amanda.payton@epa.ohio.gov | External Organizer | 10/25/2024 10:25 AM EDT - 10/25/2024 11:00 AM EDT (35 minutes) |

Attendee Details

| Attended | Interest Rating | Last Name | First Name | Email Address | Registration Date/Time | Join Time - Leave Time (Time in Session) |
|----------|-----------------|-----------|------------|------------------------------|-------------------------|---|
| Yes | 92 | Billmaier | Honor | hbillmaier@jcarr.state.oh.us | 10/25/2024 10:27 AM EDT | 10/25/2024 10:27 AM EDT - 10/25/2024 10:35 AM EDT (9 minutes) |

DAPC Emergency Episode and AQ Standards Proposed Rules

October 25, 2024

Hello and welcome to Ohio EPA's public hearing regarding the Division of Air Pollution Control's proposed rules. My name is Mary McCarron and I'm hosting today's public hearing. Mandi Payton is with me today from Ohio EPA.

For those attending online, you may submit any comments you have about the proposed rules in the Questions pane at any time.

We will not be responding to any comments submitted during the public hearing today. I will read aloud any comments we receive in the GoTo platform.

Before we get started, I'd like to go over a few items to help our online attendees navigate the GoTo platform.

On this slide you will see an example screenshot of your Attendee interface. You should see something that looks like this on your computer desktop on the right-hand side of your screen. For this public hearing you are listening in using your computer audio. If you are having sound issues or if the slides stop advancing, try refreshing your browser. If that doesn't work, try logging off and logging back in.

Please submit public comments by clicking on the question mark icon and typing them into the Questions pane on your attendee interface. You may send your comments in at any time. All comments submitted will be read aloud for the whole audience to hear.

You can also click on the document icon to view included handouts.

We will now begin the hearing.

PUBLIC HEARING SPEECH

Thank you for taking time to attend this hearing before Ohio EPA. The purpose of the hearing today is to obtain comments from any interested person regarding Ohio EPA's proposed rules.

Ohio EPA Division of Air Pollution Control has performed a review of the following rules to satisfy the requirements of Section 106.03 of the Ohio Revised Code (five-year review). Ohio EPA proposes to amend Ohio Administrative Code (OAC) rules 3745-25-01, 3745-25-02, 3745-25-03, 3745-25-04 and 3745-25-05. These rules relate to emergency episodes and air quality standards. The amendments are being proposed to adjust the annual PM_{2.5} ambient air quality standard from 12.0 ug/m³ to 9.0 ug/m³ to be consistent with U.S. EPA's updated standard. Additionally, all rules have been updated to reduce regulatory burden.

These rules have been filed with the Joint Committee on Agency Rule Review. Copies of the rules are available for public review on our website and in the handouts section in GoTo.

All interested persons are entitled to attend or be represented and to present written comments concerning the proposed rules. The director of Ohio EPA will consider all written comments received as part of the official record.

To be included in the official record, Ohio EPA must receive written comments by the close of business, today, June 21, 2024. These comments may be typed into the GoTo platform today or emailed to DAPC-Comments@epa.ohio.gov. All emailed comments submitted for the record receive the same consideration as typed comments given today.

Written statements submitted after today may be considered as time and circumstances permit but will not be part of the official record of the hearing.

This hearing allows the public to provide input. Therefore, we will not be able to answer questions today.

YOU MAY NOW SUBMIT COMMENTS IN WRITING. I will read aloud any comments we receive in the Questions pane. For those attending in person who

would like to comment, please raise your hand. When we call on you, please state your name and spell it before proceeding with your testimony. I will keep the hearing open until 11:00 a.m. to provide time for participants to type in comments.

CLOSING

After the hearing closes, we will accept written comments through 5:00 p.m. today. You can send those comments to the email address on the screen.

Thank you for your comments, cooperation, and participation in Ohio EPA's decision-making process. The time is now _____ and this hearing is concluded.