



Memorandum of Response

To: Mark Hamlin, Director of Regulatory Policy
From: Mandi Payton, Rules Coordinator
Date: October 9, 2013
Re: Memorandum of Response to CSI Review – Stage II Vapor Recovery Systems (OAC 3745-21-09)

Recommendations

On October 9, 2013, Ohio EPA received the Recommendations for the Division of Air Pollution Controls - Stage II Vapor Recovery Systems (OAC 3745-21-09) Rule.

The CSI memorandum stated that:

“OEPA is proposing to amend the rule to allow gasoline dispensing facilities in the Cleveland, Cincinnati, and Dayton metropolitan areas (24 counties in total) – which are currently required to install and maintain Stage II vapor recovery systems to reduce emissions at the point of fuel dispensing – to decommission these systems.”

“In its previous rule package, OEPA estimated that installing a new Stage II system costs a gas station between \$20,000 and \$60,000, and the annual testing of these systems can cost between \$2,000 and \$4,000. In contrast, the cost of maintaining low permeation hoses – which would replace the Stage II systems – is estimated at \$300 per year. As a result, OEPA rightly notes that the proposed amendments in this rule package reduce the adverse impact to businesses. Because of this fact, and the collaborative partnership the Agency created with the affected stakeholders, the rule package is justified.”

“For the reasons discussed above, the CSI Office does not have any recommendations for this rule package.”

“Based on the above comments, the CSI Office concludes that the Ohio EPA should proceed with the formal filing of this rule package with the Joint Committee on Agency Rule Review.”

Next Steps

At this time, it is Ohio EPA’s plan to move forward with the original filing of this rule package with the Joint Committee on Agency Rule Review.

If you have any questions please contact Mandi Payton at 614-644-2782.