



MEMORANDUM OF RESPONSE

To: Christopher Smyke, Regulatory Policy Advocate

From: Mandi Payton, Rules Coordinator

Date: November 23, 2018

Subject: Memorandum of Response to CSI Review – Carbon Monoxide, Photochemically Reactive Materials, Hydrocarbons, and Related Materials Standards (OAC 3745-21-01, -09, -10, -25, -26, -28, and -29)

Recommendations

On November 21, 2018, Ohio EPA received the Recommendations for the Division of Air Pollution Control's Carbon Monoxide, Photochemically Reactive Materials, Hydrocarbons, and Related Materials Standards (OAC 3745-21-01, -09, -10, -25, -26, -28, and -29) rules.

The CSI memorandum stated that:

"OEPA justifies the proposed rules in order to maintain compliance with the federal Clean Air Act, as VOCs are a precursor to Ozone, one of the six criteria pollutants covered by the National Ambient Air Quality Standard. The rules protect public safety and maintain compliance with federal law by limiting the output of VOCs. In addition, the current rulemaking is the result of OEPA's responsiveness to stakeholders, who have raised concerns in the period since the Chapter's last five-year review. In general, the amended rules provide clarity and additional avenues to compliance for the affected business community.

After reviewing the proposed rules and BIA, the CSI Office has determined that the rule package satisfactorily meets the standards espoused by the CSI Office, and the purpose of the rules is justified.

For the reasons explained above, this office does not have any recommendations regarding this rule package.

Based on the above comments, the CSI Office concludes that the Ohio Environmental Protection Agency 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 these rules with the Joint Committee on Agency Rule Review.

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