



# MEMORANDUM OF RESPONSE

To: Ethan Wittkorn, Regulatory Policy Advocate

From: Mandi Payton, Rules Coordinator

Date: September 10, 2021

Subject: Memorandum of Response to CSI Review – Carbon Monoxide, Photochemically Reactive Materials, Hydrocarbons, and Related Materials Standards (OAC 3745-21-01, 3745-21-03, 3745-21-04, and 3745-21-06 to 3745-21-29)

## **Recommendations**

On September 9, 2021, 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, 3745-21-03, 3745-21-04, and 3745-21-06 to 3745-21-29) rules.

The CSI memorandum stated that:

"During the early stakeholder outreach period, the EPA shared notice with stakeholders of the Division of Air Pollution that have requested inclusion on rule making processes. Additionally, notice was posted on the EPA website for wider public consumption. During this period, several comments were submitted that led the EPA to add clarifying language to the rules, to update definitions, and to remove control requirements that are no longer applicable.

Impacted communities include stationary facilities that emit VOCs and CO. Adverse impacts include potential costs of compliance to limit and monitor these emissions. These can range from simple solutions at no cost, such as a change of the raw materials in use to solutions in excess of a few million dollars, such as the installation of mechanical control devices in facilities. During the permitting process, facilities may perform RACT analysis to help determine the most effective and cost-efficient control solutions for their given facility. The EPA argues that the proposed rules help it work towards the control of VOC emissions, CO, and ozone to ensure the state is in compliance with the Clean Air Act.

Based on the information above, the CSI Office has no recommendations on this rule package.

The CSI Office concludes that the EPA should proceed in filing the proposed rules 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 [amanda.payton@epa.ohio.gov](mailto:amanda.payton@epa.ohio.gov).