



MEMORANDUM OF RESPONSE

To: Michael Bender, Business Advocate

From: Mandi Payton, Rules Coordinator

Date: March 8, 2023

Memorandum of Response to CSI Review – Particulate Matter Regulations
(OAC 3745-17-01, 3745-17-03, 3745-17-04, 3745-17-07, 3745-17-08, 3745-17-09, 3745-17-10, 3745-17-11, 3745-17-12, 3745-17-13, and 3745-17-14)

Recommendations

On March 8, 2023, Ohio EPA received the recommendations for the Division Air Pollution Control's Particulate Matter (OAC 3745-17-01, 3745-17-03, 3745-17-04, 3745-17-07, 3745-17-08, 3745-17-09, 3745-17-10, 3745-17-11, 3745-17-12, 3745-17-13, and 3745-17-14) rules.

The CSI memorandum stated that:

"The business community impacted by the rules includes facilities which contain air contaminant sources that emit particulate matter. The adverse impacts created by the rules include limitations on visible particulate emissions, following specified test methods and procedures, implementing control strategies, following compliance schedules, obtaining certification or a permit, recordkeeping, and submitting data and information to the OEPA. According to the OEPA, the costs of compliance can range from a few hundred dollars for control technology to a few million dollars for the installation and operation of a mechanical control device. The OEPA notes that all of the entities required to incur the cost of compliance did so years ago, adding that the rules are often less stringent than federal programs that regulate particulate matter emissions. The OEPA states that the adverse impacts to business are justified to fulfill federal requirements under the Clean Air Act to control particulate emissions as part of the effort to attain and maintain National Ambient Air Quality Standards.

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

The CSI Office concludes that the Agency should proceed in filing the proposed rules with the Joint Committee on Agency Rule Review."

Next Steps

Currently, 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.