APPENDIX A:

New Source Review (NSR) Program

Review Questionnaire

Ohio: May 23-24, 2005

Ohio EPA Responses to the May 2005 U.S. EPA NSR Audit

Note: This questionnaire does not address implementation of changes made to the major NSR rules in EPA's rulemaking on December 31, 2002.

I. Program Requirements Common to Both Prevention of Significant Deterioration (PSD) and Nonattainment NSR

A. Netting

Y ☒ N ☐ 1. Is netting approved in your NSR SIP for determining whether modifications at major stationary sources are subject to major NSR (PSD or nonattainment NSR as applicable)? If no, please explain.

Ohio EPA rules use the same definitions as the federal rules. Our definition of major modification relies on the significant net emissions increase calculus just like the federal rules. See Ohio Administrative Code 3745-31-01 for the definitions of "major modification" and "significant" and "net emissions increase".

Y ☒ N ☐ 2. Is your contemporaneous look-back period five years, exactly the same as in the Federal PSD regulations at 40 CFR 52.21. If not, what is the contemporaneous time period for netting in your SIP?

Prior to our revision for NSR Reform, our look-back period was five years before construction on the particular change commences. See the definition of "net emissions increase" in OAC rule 3745-31-01.

Y ☒ N ☐ 3. For determining the baseline from which emission reductions are calculated do you require the applicant to submit the actual emissions from the units along with any permit limits that apply?

Y ☐ N ☒ 4. Do you allow an applicant to receive emission reduction netting credit for reducing allowable emissions instead of actual emissions? If yes, please explain.

Y ☐ N ☒ 5. Do you allow an applicant to receive emission reduction credit for reducing any portion of actual emissions that resulted because the source was operating out of compliance?

Y ☐ N ☒ 6. Do you allow an applicant to receive emission reduction credit for an emissions unit that has not been constructed or operated?

Y ☒ N ☐ 7. Are emissions reductions to meet MACT requirements eligible for netting credits? If yes, under what conditions? (See EPA's November 12, 1997 memo from John Seitz entitled "Crediting of Maximum Achievable Control Technology (MACT) Emission Reductions for New Source Review (NSR) Netting and Offsets".)

Ohio EPA has not yet had the opportunity to use MACT generated credits for netting. However, we would follow U.S. EPA's policies as described in the Seitz November 12, 1997 memo.

Y ☒ N ☐ 8. When any emissions decreases are claimed as part of a proposed modification, do you require that all stationary, source-wide, creditable and contemporaneous emissions increases and decreases of the pollutant be included in the major NSR applicability determination?

1. To avoid "double counting" of emissions reductions what process do you use to

determine if emissions reductions considered for netting have already been relied on in issuing a major NSR permit for the source?

Ohio EPA requires the permits for shutdown sources to be withdrawn or deleted. We also require sources that will continue to operate to contain permit terms and conditions that restrict the operation of the sources to below the levels necessary to provide the netting credits. Ohio also notes that this situation rarely arises.

Y ☒ N ☒ 10. Do you have a process to track projects that use credits to net out of major NSR? If yes, please explain.

All credits must be documented in the permit of the source that needs the credits and in the permits for the sources that are giving the credits. We do not have a state-wide system to track credits, so no need to have a formal tracking program.

Y ☒ N ☐ 11. Do you require that emissions reductions (e.g., reductions from unit shutdowns) must be enforceable to be creditable for netting?

This is typically done by revoking or withdrawing the permit for the source and having staff confirm that the source has been shutdown and removed from the facility. Once the permit is revoked or withdrawn, the permittee no longer has the authority to operate the source. The reduction becomes an enforceable permit term or the PTO and PTI are withdrawn for a source that is shutdown.

Y ☐ N ☒ 12. Have you had public concerns regarding the netting analysis and procedures used for any

issued permits that avoided major NSR? If yes, please describe.

Y ☐ N ☒ 13. Do you allow interpollutant trading when netting, e.g., can a source use NOx or PM credits for netting out of VOC increases? If yes, please explain.

14. What process do you have to verify that a source's emissions reductions considered for netting, including emissions reductions that may have been "banked," are not already used by the source, or another source, as nonattainment NSR offsets ? Please describe.

Any reductions used either for netting or for offsets must be documented in the recipient's permits and the giver's permits. In addition, the netting/offset permit write-up will include documentation concerning the use of netting or offset credits.

B. Routine Maintenance, Repair, and Replacement (RMRR)

Y ☒ N ☐ 1. Do you have knowledge of the EPA letter dated May 23, 2000, to Henry Nickel of Hunton & Williams concerning Detroit Edison and the Wisconsin Electric Power Company (WEPCO)case RMRR documents?

2. What other documents do you rely upon when making RMRR exemption determinations?

Ohio EPA has rarely had the opportunity to evaluate a RMRR situation concerning a utility. Historically, this is because utilities have taken it upon themselves to do the evaluation and have not consulted Ohio EPA. Because we have not had to make these determinations, we have not

compiled a list of documents to use to help make these determinations. Instead, we evaluate each RMRR situation on a case-by-case basis. When a RMRR issue arises, we will do a search for all available guidance concerning RMRR. We will review that guidance to make the determination. If necessary, we will consult with U.S. EPA NSR staff for guidance. Ohio EPA would use a similar process for non-utilities as well.

For non major NSR RMRR, Ohio's definition of "modification" contains an exemption. The exemption does not require permittee's to obtain written approval from the director so letters to permittees are rare. We could not locate a sample letter. The rule reads (OAC rule 3745-31-01(PPP)):

"Modify" or modification" means:

(1) Any physical change in, or change in the method of operation of:

(a) Any air contaminant source that:

i) Results in an increase...

...

ii) 'Modify' or 'modification' shall not include routine maintenance, routine repair, and routine replacement; ...

Y ☐ N ☒ 3. Do you have a formal protocol for making RMRR exemption determinations? If yes, describe the protocol.

4. Approximately how many formal RMRR exemption determinations have you made in the last

five years? Using any one such determination as an example, describe the example, state the conclusion you reached, and discuss how you reached the conclusion.

We do not track them and so we do not have a way of calculating the numbers. However, an educated guess is that we have done less than five of this in the past five years.

Y ☒ N ☐ 5. Do you keep documentation of formal RMRR exemption determinations?

A formal response letter is prepared and sent to the company.

Y ☒ N ☐ 6. Do you restrict the RMRR exemption to units being modified and exclude replacement of entire units from RMRR exemption consideration?

Y ☒ N ☒ 7. Regarding the "purpose" evaluation factor in an RMRR exemption evaluation, do you exclude projects from the RMRR exemption that result in an increase in production capacity?

Each situation would be evaluated on a case-by-case basis considering a number of factors including any possible increase in production capacity. Minor increases would more likely be approved, large increases would more likely be dissapproved.

8. Regarding the "frequency" evaluation factor in an RMRR exemption evaluation, do you consider just the history of the specific unit(s) in question, just the history of other similar units at the same facility, just the history of similar units at other facilities in the same industry, or some combination of these histories?

We have not yet had the opportunity to evaluate the "frequency" factor. However, we believe that all of the above "frequency" factors should be considered. We haven't had to evaluate this during the time period this review covers.

9. Regarding the "cost" evaluation factor in an RMRR exemption evaluation, what procedure do you follow to take cost into account?

We have not had to do a detailed "cost" evaluation so we have not developed procedures. Each situation would be evaluated on a case-by-case basis.

Y ☐ N ☒ 10. Do you provide RMRR exemption evaluation training to NSR permitting staff employees (other than on-the-job training)? If yes, describe the nature of the training provided.

Y ☐ N ☒ 11. Do you provide an information outreach program on RMRR exemption evaluations for owners of regulated sources? If yes, how frequently do you provide such information and how do you provide it?

C. Synthetic Minor Limits

Y ☒ N ☐ 1. Do you keep a list of synthetic minor sources (i.e., sources that would otherwise be major for NSR but are considered minor because of emissions limits or other

limiting conditions in their permits) that is available for review by the public and EPA ? If yes, please explain how.

DAPC's PTIs2000 permit system tracks all installation permits. As part of this system, synthetic minor permits are tracked. Upon request, DAPC will generate a listing of synthetic minor permits issued over a requested time period. DAPC has access to other tracking systems that go back to 1990.

2. Describe your formal process for establishing or designating a synthetic minor source.

Synthetic minors are identified as part of the review process for permits to install. Permit writers review the applicants information and as part of that review, they do a calculation of the federally enforceable potential to emit. This evaluation is to help determine which rules apply.

Once it is determined that the source is a synthetic minor, the permit writer identifies it as such in the PTIs2000 system and in other paperwork for the permit.

Y ☒ N ☐ 3. For synthetic minor sources do your permits include enforceable limits to keep the sources minor?

CO provides oversight to the District and local offices for all synthetic minor permits in part to ensure that there are enforceable limits. The STARS system also has terms and conditions for synthetic minor limits with permit writers can refer to.

Ohio EPA utilizes a library of terms and conditions for the development of permits. Once section of the library contains multiple terms that are used to set up synthetic minor restrictions. Some examples of the terms from the library are as follows:

W.5 Record keeping requirements for annual coating usage limitations based upon rolling 365-day and 12-month summations

This term and condition should be used whenever term W.4 is used, when restricting the coating usage to a rolling 365-day or 12-month limit.

Replace the XXXXs with the following:

XXXX1 - ***specify:*** daily or monthly
XXXX2 - ***specify:*** day or month
XXXX3 - ***specify:*** 365-day or 12-month

The permittee shall maintain [XXXX1] records of the following information:

a. the coating usage for each [XXXX2]; and

b. the rolling, [XXXX3] summation of the coating usage.

(Term ID:W.5:061397)

W.7 Annual coating usage limitations based upon rolling 365-day and 12-month summations, where additional limitations are needed during the first 12 calendar months of operation or during the first 12 calendar months following issuance of the permit

This term and condition is used to restrict the operation of an emissions unit to limit potential emissions and where monitoring of the first 12 months of operation is necessary. The first 12 months of operation must be monitored whenever a new source is being installed. This term should

be used when a facility can agree to the limitation and can qualify for the additional flexibility allowed by rolling limitations.

Note: This term, W.7, should be used along with the record keeping requirement, W.8, and the reporting requirement for the exceedance of the monthly or the rolling 365-day or 12-month limitation on the coating usage, term W.9.

Note: Use term W.4 for existing sources, where coating usage data exists for the past 12 months and the records are available to start a rolling 365-day or 12-month record of coating usage, upon the issuance of the permit. Use term W.1 for State-only permits or where a rolling limit is not required.

Replace the XXXXs with the following:

XXXX1 - ***specify: the maximum allowable annual coating usage***
XXXX2 - ***specify: either*** 365-day or 12-month
XXXX3 - ***for each month, specify the maximum allowable cumulative coating usage (e.g., 15,000*** gallons ***)***

The maximum annual coating usage for this emissions unit shall not exceed [XXXX1], based upon a rolling, [XXXX2] summation of the coating usage figures.

To ensure enforceability during the first 12 calendar months of operation or the first 12 calendar months following the issuance of this permit, the permittee shall not exceed the coating usage levels specified in the following table:

Month(s)	Maximum Allowable Cumulative Coating Usage
1	[XXXX3]
1-2	[XXXX3]
1-3	[XXXX3]
1-4	[XXXX3]
1-5	[XXXX3]
1-6	[XXXX3]
1-7	[XXXX3]
1-8	[XXXX3]
1-9	[XXXX3]
1-10	[XXXX3]
1-11	[XXXX3]

1-12 [XXXX3]

After the first 12 calendar months of operation or the first 12 calendar months following the issuance of this permit, compliance with the annual coating usage limitation shall be based upon a rolling, [XXXX2] summation of the coating usage figures.

(Term ID:W.7:042505)

W.8 Record keeping requirements for annual coating usage limitations based upon rolling 365-day and 12-month summations, where additional limitations are needed during the first 12 calendar months of operation or during the first 12 calendar months following issuance of the permit

This term should be used whenever term W.7 is used and restrictions on coating usage is needed during the first 12 calendar months of operation

Replace the XXXXs with the following:

XXXX1 - ***specify:*** daily or monthly
XXXX2 - ***specify:*** day or month
XXXX3 - ***specify:*** 365-day or 12-month

The permittee shall maintain [XXXX1] records of the following information:

a. the coating usage for each [XXXX2]; and

b. beginning after the first 12 calendar months of operation or the first 12 calendar months following the issuance of this permit, the rolling, [XXXX3] summation of the coating usage figures.

Also, during the first 12 calendar months of operation or the first 12 calendar months following the issuance of this permit, the permittee shall record the cumulative coating usage for each calendar month.

(Term ID:W.8:052505)

W.9 Reporting requirements for annual coating usage limitations based upon rolling 365-day and 12-month summations, where additional

limitations are needed during the first 12 calendar months of operation or during the first 12 calendar months following issuance of the permit

This term should be used whenever term W.7 is used to restrict the operations of an emissions unit to limit the monthly potential coating usage and where monitoring and reporting for these first 12 months of operation is necessary.

Replace the XXXX with the following:

XXXX1 - ***specify:*** 365-day or 12-month

\# The permittee shall submit quarterly deviation (excursion) reports which identify all exceedances of the rolling, [XXXX1] limitation on coating usage; and for the first 12 calendar months of operation or the first 12 calendar months following the issuance of this permit, all exceedances of the maximum allowable cumulative coating usage levels. These reports shall be submitted in accordance with the reporting requirements specified in Part 1 - General Terms and Conditions, Section A of this permit.

(Term ID:W.9:042505)

4. How is compliance with the synthetic minor limits tracked over time? Please explain. *Each synthetic minor permit requires detailed record keeping and reporting that is used to track the key parameters for the synthetic minors. Quarterly deviation reports are required to be submitted to document compliance with the synthetic minor. A copy of the term and condition that defines what needs to be reported is as follows:*

Except as may otherwise be provided in the terms and conditions for a specific emissions unit, the permittee shall submit required reports in the following manner:

i. Reports of any required monitoring and/or recordkeeping of federally enforceable information shall be submitted to the appropriate Ohio EPA District Office or local air agency.

ii. Quarterly written reports of (i) any deviations from federally enforceable emission limitations, operational restrictions, and control device operating parameter limitations, excluding deviations resulting from malfunctions reported in accordance with OAC rule 3745-15-06, that have been detected by the testing, monitoring and recordkeeping requirements specified in this permit, (ii) the probable cause of such deviations, and (iii) any corrective actions or preventive measures taken, shall be made to the appropriate Ohio EPA District Office or local air agency. The written reports shall be submitted quarterly, i.e., by January 31, April 30, July 31, and October 31 of each year and shall cover the previous calendar quarters. See B.9 below if no deviations occurred during the quarter.

iii. Written reports, which identify any deviations from the federally enforceable monitoring, recordkeeping, and reporting requirements contained in this permit shall be submitted to the appropriate Ohio EPA District Office or local air agency every six months, i.e., by January 31 and July 31 of each year for the previous six calendar months. If no deviations occurred during a six-month period, the permittee shall submit a semi-annual report, which states that no deviations occurred during that period.

iv. Each written report shall be signed by a responsible official certifying that, based on information and belief formed after reasonable inquiry, the statements and information in the report are true, accurate, and complete.

Y ☒ N ☐ 5. Are you satisfied that your tracking activities are sufficient to ensure that sources getting synthetic minor permits to avoid major NSR review are not actually

operating above the applicable major source threshold?

Y ☒ N ☐ 6. Do you include in your synthetic minor permits conditions requiring sources to notify you if and when the major source threshold is reached?

The quarterly exceedance reports term as described in the response to question 3 above require reporting if the threshold has been exceeded.

Y ☒ N ☐ 7. Do you perform(or require) modeling for sources seeking synthetic minor permits to determine impacts on PSD increments?

If the resulting synthetic minor limits are over the state modeling thresholds, then modeling is required and we require the project to meet ½ the available PSD increment.

Y ☒ N ☐ 8. Do you consider visibility issues in Class I areas, if applicable, when reviewing synthetic minor applications?

Because of the distance between Ohio sources and the nearest Class I area, it is very unlikely that a synthetic minor source would be significant enough to require visibility in a Class I area to be evaluated.

D. Pollution Control Projects (PCP) Exclusion

Y ☒ N ☒ 1. Do you have standard permitting procedures or rules that allow for certain changes at non-utility emissions units to be designated as PCP, which are excluded from major NSR?

Prior to NSR Reform, Ohio relied on the 1994 guidance, and Ohio's rules did not allow non-utility emissions units to avoid major NSR. Ohio's rules did, however, allow minor permit modifications to be exempt from permitting if they were determined to be pollution control or pollution prevention projects. See 3745-31-01 for the definition of "modification" under subparagraph (1)(a)(vi).

2. How many PCP exclusions have been granted for "feed" or "fuel" switches?

   That information is not kept in an easily determined method. A rough estimate would be 2-3 in a five year period.

3. What process do you use to determine if the project is "environmentally beneficial" and not just "economically efficient"?

   Using a case-by-case analysis and any U.S. EPA guidance concerning environmentally beneficial projects. The analysis will include modeling when significant impacts are possible. An example of a past environmentally beneficial determination follow in the next three pages. Included are: A letter to U.S. EPA announcing the proposed approval and comment period, a copy of the public notice for the proposal and a copy of the final letter approving the environmentally beneficial project.

October 30, 1996

Caushal Gupta
USEPA - Region 5
Air and Radiation Div.
Regulation Development (AR-18J)
77 West Jackson Street
Chicago, IL 60604

Dear Mr. Gupta:

Enclosed is the additional information you requested concerning the Stone Container Corporation, Inc. request for an environmentally beneficial project determination and exclusion from PSD review.

They are planning to install a VOC control device, a regenerative thermal oxidizer. A comparatively small increase in NOx emissions will result from the operation of the incinerator, but a large decrease in VOC will be achieved (see details in attached). There will also be a reduction in nuisance odors and HAPs emissions. They will be required to demonstrate that the projected emissions changes are accurate, once the control device begins operation.

A public notice of the Director's intention to approve this project was placed in the news paper, and the 30-day comment period will expire soon. Please notify me soon if you have any comments.

Thank you for you interest in this matter.

Sincerely,

Misty Parsons
Environmental Specialist

cc: Mike Hopkins, Manager, AQM&P
Ron Hancher, SEDO

Coshocton County

PUBLIC NOTICE

DIRECTOR'S INTENTION TO APPROVE A POLLUCTION CONTROL PROJECT REQUEST BY STONE CONTAINER CORPORATION, COSHOCTON, OHIO

Public notice is hereby given that the Director of the Ohio EPA intends to approve a request received from Stone Container Corporation for installation of a proposed environmentally beneficial project at their Coshocton paper production facility.

Stone is requesting approval to install a regenerative thermal oxidizer to control volatile organic compounds and reduce odors from the existing Copeland Reactor unit. This control device will reduce approximately 3495 tons/year of actual VOC emissions. Carbon Monoxide emissions are also projected to decrease by 496 tons/year. However, emissions of NO_x will increase by 175 tons/year.

Any increase in NO_x of this magnitude at a major facility would normally require prevention of significant deterioration (PSD) permit review by Ohio EPA, under 40 CFR Part 52.21, and OAC Chapter 3745-31. However, USEPA has issued guidance entitled "Guidance on Excluding Pollution Control Projects from New Source Review", for the exclusion of pollution control projects from the PSD permit requirements. The permitting authority, Ohio EPA, is to review any requests made under this guidance for exclusion from PSD review. The project must also meet the requirements of the OAC Chapter 3745-31.

Ohio EPA has reviewed Stone Container's submittal, and finds that it meets the criteria of an environmentally beneficial pollution control project under the USEPA Guidance and OAC Chapter 3745-31. Therefore, the Director intends to issue a letter of approval to Stone Container so that they may proceed with this installation.

Ohio EPA is accepting comments from the public during the 30 day comment period, which commences with the date of this notice. Please submit any comments in writing to Fred Klingelhafer, APC Supervisor, Ohio EPA-Southeast District Office, 2195 Front Street, Logan, Ohio, 43138. The Director will consider all comments submitted during this period before issuing any final approval to Stone Container Corporation.

RE: COSHOCTON COUNTY
STONE CONTAINER CORPORATION
RTO PROJECT

Gary G. Egleston - Regional Environmental Manager
Stone Container Corporation
Containerboard & Paper Division
1979 Lakeside Parkway Suite 300
Tucker, Georgia 30084

Dear Mr. Egleston:

In February, 1996, you sent a request to Ronald Hancher of our Southeast District Office requesting a waiver from the federal PSD requirements contained 40 CFR PART 52.21 and OAC Chapter 3745-31 for your proposed pollution control project on your Copeland Reactor located in Coshocton. In August you sent the modeling and additional information required for review of this type of request.

The Division of Air Pollution Control has reviewed your request and determined that this project is an environmentally beneficial pollution control project under the USEPA Guidance and OAC Chapter 3745-31. In order to fulfil the requirements of the USEPA Guidance, the Ohio EPA has published an explanation of our intention to approve this request in the local newspaper for public comment.

The Ohio EPA did not receive any formal comments concerning this project within the 30 day comment period, however USEPA Region 5 did request additional information from us. USEPA has verbally informed us that they agree that the project should be approved. Therefore, the Ohio EPA approves the installation of a Regenerative Thermal Oxidizer on your Copeland Reactor in Coshocton for the purpose of controlling VOC and CO emissions. You may proceed with the installation of the control system at your earliest convenience.

Once the system is operational, you will be required to provide some demonstration that the outlet emissions are as expected. Our Southeast District Office will work with you in satisfying this requirement. If you have any questions please contact Ronald Hancher of our Southeast District Office at 614-385-8501.

Sincerely,

Donald R. Schregardus
Director
Ohio Environmental Protection Agency

cc: Ronald Hancher, SEDO MP/RH

4. How are the collateral emission increases evaluated? Do you require a modeling analysis to demonstrate insignificant impacts from emissions increases?

Collateral emissions increases would be evaluated. Each situation is different so we would use a case-by-case analysis and any U.S. EPA guidance concerning collateral emissions increases.

5. How do you handle collateral increases in hazardous air pollutants (HAP)?

We have never had this happen. However, any associated emissions of HAPs would be evaluated based on the normal toxics evaluation the Ohio EPA uses for all new sources. See our Engineering Guide #69, draft Engineering Guide #70 (both at www.epa.state.oh.us/dapc/engineer/eguides.html *and the Air Toxics Policy (*www.epa.state.oh.us/dapc/files/option_a.pdf*).*

Y ☐ N ☒ 6. Are the emission reduction credits from PCP available for netting or NSR offsets? Please explain.

7. Which add-on control devices are most frequently involved in PCP exclusion requests?

Incinerators onto organic compound sources.

8. Which types of industrial sources typically request PCP exclusions from major NSR?

If there is a typical, it would be painting operations.

Y ☒ N ☐ 9. Does your NSR SIP include the PCP exclusion for electric utility steam generating units (often referred to as the WEPCO exclusion)?

Please see the language within the definition of "Major Modification" under 3745-31-01.

E. Fugitive Emissions

1. Please provide your regulatory definition of "fugitive" emissions for major NSR applicability purposes.

   "Fugitive Emissions" means those emissions that cannot reasonable pass through a stack, chimney, vent or other functionally equivalent opening.

Y ☒ N ☐ 2. Do you make a distinction between "fugitive" emissions and "uncontrolled" emissions? If so, please explain.

   Yes (see above question). This term is not specifically defined by rule. Uncontrolled can be fugitive in nature, as well as those that exit a stack, or by another means. Uncontrolled emissions would reflect the level of source emissions without any work practices, design measures or add-on controls that are implemented to reduce emissions.

Y ☒ N ☐ 3. Do you include fugitive emissions in major NSR applicability determinations for new sources? For modified sources? Please explain.

   Fugitives (per the 28 source categories) are included when required per the major NSR rules (Ohio and federal). See the definition of "major stationary source" or "major modification".

Y ☒ N ☐ 4. Do you allow major sources to use reductions in fugitive emissions for netting purposes? If so, please explain, and describe how you determine the fugitive emissions "baseline" used for netting.

   Even though this would be infrequent in Ohio, fugitive emission decreases could be utilized to the extent they can be quantified, based upon source operation records to determine actual emissions. We don't know of an example where we

have allowed reductions in fugitive emissions for netting purposes.

5. Please provide a description of your guidelines or calculation methodology used to quantify fugitive emissions.

Ohio has not independently developed guidance, and reviews each situation on a case-by-case basis. We rely on U.S. EPA guidance for federal program elements.

Y ☒ N ☐ 6. Do your permits contain conditions for specific emission limits or control methods/work practice standards for fugitive emissions consistent with requirements for BACT?

Yes, we establish limitations for those PSD sources and permits with appreciable fugitives (namely emissions that can not be captured),and where fugitives must be considered. For an example, please see the response to B. Best Available Control Technology question 20.

F. Modeling

Y ☒ N ☐ 1. Do you follow EPA's modeling guidelines in 40 CFR Part 51 Appendix W?

Y ☐ N ☒ 2. Are deviations from the modeling guidelines in Appendix W subjected to public comment and submitted to the regional EPA office for approval?

Y ☒ N ☐ 3. Are minor permit actions (i.e., proposed new and modified minor sources), evaluated to determine if modeling for PSD increments is needed? Under what circumstances is increment modeling triggered for these minor permit actions?

Ohio EPA requires modeling for minor permits/modifications which exceed 10 T/Y PM10,k 25

T/Y SO2 or NOx, and 100 T/Y CO. There are triggers for toxic pollutants as well. The goal is a fraction of the PSD increments or NAAQS if no increment exists.

Y ☐ N ☒ 4. Do you ask applicants to submit a modeling protocol for approval prior to submitting modeling?

It is recommended in cases where there is complex terrain, where AERMOD is being used, for unusual sources and when there is a new modeling contractor. When there are questions about the type of models that are used, OEPA will review the potocol before modeling is done.

Y ☒ N ☐ 5. Is the protocol provided to other interested organizations (e.g., EPA, Federal Land Manager)?

Only AERMOD protocols are shared with EPA during the pre-final approval phase.

Y ☒ N ☐ 6. Is the effect of downwash modeled if stacks are less than good engineering practice (GEP)?

Y ☒ N ☐ 7. Are modeling analyses available for public review?

Y ☒ N ☐ 8. Do you review modeling submittals to determine if option switches are correct?

~~Y ☐ N ☐~~ 9. When off-site meteorological data are used what years are typically used?

1987-1991

10. How do you train your modeling staff?

We provide training periodically to all field offices. This is either done in concert with NSR training or separately. Ohio also maintains Engineering Guide 69 with the most up to date requirements.

Y ☒ N ☐ 11. Do you follow The Air Quality Analysis, Additional Impacts Analysis, and Class I Area Impact Analysis guidance provided in the New Source Review Workshop Manual (Draft October 1990)?

We believe our approach generally follows the NSR Workshop manual.

12. For cumulative national ambient air quality standards (NAAQS) and PSD increment compliance assessment:

EIS databases are provided on-line through a web page.

1) *Distance (50 KM or adjacent counties)*
1) *Emissions (significant emission rate in the SIP, 100 T/Y beyond.*
2) *20d* (emissions in tons/distance in miles)

PSD projects (past) are identified. Local minor permits modifications are identified. Changes in actual are not tracked.

a. Are mobile sources modeled for increment compliance?

No

13. What is the basis (e.g., allowable, maximum or average actual short-term emissions, last two year period, etc.) of the emission rates provided in the NAAQS and PSD increment consuming inventories of other sources?

Allowable short term where available and for all sources at the subject facility. The most recent EIS allowables is the basis for the emission rates if allowables are not identified.

14. How do you ensure that the controlling concentrations reported by the applicant for each pollutant and averaging period were appropriately determined?

    a. The modeled emission rates are compared to the permit.
    b. The reported emission rates are compared to the model run.
    c. Random years/pollutants are re run.
    d. Model results are compared to the reported concentration.

Y ☒ N ☐ 15. Are the impact modeling analyses reviewed to ensure that they are accurate and complete, and that appropriate modeling procedures (e.g., modeled to 100-m resolution, fence line and not property line, nearest modeled receptors, etc.) were followed?

Y ☒ N ☐ 16. Is complex terrain an issue in your region? What modeling procedures are used to address impacts in complex terrain?

1) ISC and CTSCREEN
2) AERMOD

Y ☒ N ☐ 17. Are pollutants without NAAQS and/or PSD increments addressed in the air quality impact assessments? What threshold concentrations (e.g., acceptable ambient concentrations) are used to evaluate impacts?

TLV toxic pollutants are increase >1 T/Y are modeled and compared to the MAGLC (usually TLV/42)

Y ☒ N ☐ 18. Do you have written agency-specific air quality modeling guidance for use by applicants? If yes, has the guidance been provided to other concerned

organizations (e.g., regional EPA, appropriate FLM, etc.) for review and comment? Is your guidance available on the Internet?

Engineering Guide 69 was reviewed by EPA. It is available on the Internet.

19. How do you determine the appropriateness of proposed meteorological data for an application? When are "on-site" meteorological data required for an application? Are "on-site" meteorological data validated and accepted if recovery is less than 90 percent?

Ohio EPA provides data for each county. On site data must meet PSD requirements. Deviations are discussed with EPA.

20. When an applicant's air quality modeling reveals NAAQS and/or PSD increment violations, what is required to grant the permit and how are the violations resolved?

A demonstration that the proposed project does not significantly contribute to the violations. The violation is then addressed on a separate track. Examples of this include a Degussa PTI where modeled SO2 violations were found at a nearby AMP-Ohio plant; a Superior Graphite PTI where the AEP Pickaway power plant had modeled violations; and a Charter Steel PTI where a Alcoa plant had modeled violations. The resolutions typically take a year or two to develop the new rule plus the time it takes to get the SIP revision done.

Y ☒ N ☐ 21. Do your regulations include the federal definition of ambient air? If no, what is your definition of ambient air?

22. Discuss your procedures for modeling "hot spots," including minimum receptor spacing?

100 meter spacing is required at points of maximum concentration.

23. How do you determine if background air quality data are representative?

Ohio EPA provides background data believed to be representative/concervative relative to air quality in the vicinity of the project.

24. Do you use the same NAD for stack, receptor, and building UTM coordinates?

Yes

F) Stationary Source Determinations

Y ☐ N ☒ 1. Do your SIP-approved rules define stationary source differently than 40 CFR 51.165 or 51.166? If yes, please explain.

Y ☒ N ☐ 2. When determining if emissions units are contiguous or adjacent, do you assess whether emissions units under common ownership or control may be a single stationary source regardless of the distance between the emissions units? Please explain.

For new source projects being submitted, we evaluate and determine what plants/units the "facility" consists of, for permitting purposes, following our rules (which are the same as the federal rules) and federal guidance on this topic. We have had cases where units are physically distant, but operationally connected, and they were determined to be part of the same major stationary source.

An example of a determination we made is below.

January 12, 1999

Scott Churbock
Air Liquide America Corporation
12800 West Little York
Houston, Texas 77041

Dear Mr. Churbock:

At our December 21, 1998 meeting, we discussed a number of issues involving the air permitting of your co-generation boiler project. Ohio EPA agreed to consider any unresolved issues and make a determination. The central issue was the question of whether or not the Air Liquide America Corporation (ALAC) facility and the Wheeling Pittsburgh Steel (WPS) facility are truly two separate entities under the air regulations, or are in fact one facility for permitting purposes.

We have come to the conclusion that the plants are one facility for permitting purposes. The ALAC boilers will be fueled in large part by blast furnace gas, and will be operated by WPS employees. They will serve primarily only WPS with steam and electricity. WPS will shut down its boilers, therefore they could not operate the steel making facility without ALAC, and ALAC would not be a viable project without the alliance with WPS. Therefore, the entire project will need to be reexamined with the one facility view. This necessitates revision of the original application for the 1995 permit to install and the July application for modification.

ALAC needs to prepare a permit application under the premise that this project is an expansion of the WPS facility, so the emissions increase must be evaluated based upon the fact that WPS is major for PSD and NSR. Any net decreases at the WPS facility resulting in shut down credits will be available for ALAC to utilize, pending the agreement of WPS. If enough credits are not available, PSD review will be required for the attainment pollutants, and NSR/Offset Policy review will be required for PM_{10} and/or SO_2. The netting contemporaneous time frame will be based upon the start time of the project (1995/1996, please verify in your submittal). So to determine the amount of any decreases in actual emissions from emissions units involved (2 year average of tons/year emitted), an operating time period prior to 1996 should be used. In essence, the application and permit should be prepared as if it were 1995 and the project had not begun. All applicable requirements should be met.

If you have any questions, please contact us at (614) 644-2270. Thank you for your cooperation.

Sincerely,

Misty Parsons
Environmental Specialist

cc: Bob Hodanbosi, DAPC
Mike Hopkins, DAPC
Craig Butler, Director's Office

William Samples
Wheeling Pittsburgh Steel
1134 Market Street
Wheeling, WV 26003

Y ☒ N ☐ 3. Do you assess facilities' financial, personnel, and contractual relationships to determine common ownership or control?

Y ☒ N ☐ 4. Do you assess whether sources with different first two-digit SIC codes (i.e., emissions units not in the same industrial grouping) may qualify as separate stationary sources?

G) Debottlenecking and Increased Utilization

Y ☒ N ☐ 1. When determining if proposed modifications are subject to major NSR, do you include emissions increases from existing emissions units that are not physically modified(i.e., units that will be debottlenecked or have increased utilization such as boilers)?

One example of a permit for increased utilization is a permit we issued for Miller Brewing Company under PTI number 14-05143, issued 11/15/01. For this permit, Miller Brewing needed to install a steam turbine that took steam from existing coal-fired boilers to produce electricity. The boilers were not being physically modified. The increase in emissions from the boilers due to increased fuel usage to run the turbine triggered PSD.

2. What method is used to determine the emissions increase from these emissions units? What EPA guidance do you consider for this issue?

We review information about the overall process, and look for increases in actual emissions of plant

units involved, even though they will not undergo a physical change. Those actual increases, if any, would be included in the total project increase for determining PSD/NSR applicability. We attempt to utilize the latest U.S. EPA guidance during review of an application, which is obtained by search of the NSR Guidance web page. There are usually many related documents on a certain topic. The NSR Workshop Manual (draft 1990) is one relevant guidance for the program. Another document, available through the U.S. EPA web, which deals with PSD and debottlenecking is the 1998 letter concerning the Intermet facility, from K. Henry of Region 3, to the state of Virginia.

Y ☒ N ☐ 3. Do you train your permitting staff to include such emissions increases when determining if a modification is major for NSR?

H) Relaxation of Limits Taken To Avoid Major NSR

1. Describe your knowledge of the "relaxation" regulatory provisions of 40 CFR 51.165(a)(5)(ii), 51.166(r)(2), and 52.21(r)(4).

   When a source requests the lifting of a permit restriction that was applied to avoid PSD/NSR review, the source must undergo major source review, including compliance with the key program elements (BACT, increment consumption modeling...).

2. What types of changes do you consider potentially subject to relaxation assessments?

   The most common one would be increasing/removing a Synthetic Minor restriction upon the potential to emit, which results in a tons/yr allowable emissions increase, but there could be others as well.

Y ☐ N ☒ 3. Do you have a written policy on relaxation assessments?

4. Approximately how many relaxation assessments have you made in the last five years?

Our system does not have capability to produce this specific type of data.

Y ☒ N ☐ 5. Do you include specific permit limits and conditions to make potential future relaxation possibilities more identifiable?

6. What is your understanding of the appropriate circumstances under which an existing minor source is allowed a 100/250-tons-per-year emissions increase without triggering relaxation provisions?

When the "federally enforceable" PTE of the facility (total of the units) is below major, additional emissions units may be added or current units physically modified as part of a project, and not trigger major review, so long as the emissions increase does not exceed the applicable major level. Once the facility becomes a major through growth, the Significant levels apply to modifications.

Y ☒ N ☒ 7. Do you provide relaxation evaluation training to NSR permitting staff employees (other than on-the-job training)? If yes, describe the nature of the training provided.

This topic is discussed during our Advanced NSR training. It is also typically discussed during pre-application NSR meetings with permittees.

I) Circumvention/Aggregation Issues

Y ☐ N ☒ 1. When you review a modification to determine if it is major for NSR, do you consider aggregating prior minor emissions increases at the stationary source?

Minor emissions increases from separate projects are not to be aggregated. If increases have occurred that are determined part of the same NSR project, they would be combined for review. An example is BP-Toledo where it didn't end up as circumvention, but it was evaluated. Please see the response to the next question for a list of criteria used to evaluate combined/ separate projects.

2. Please provide any criteria you may use to determine if a series of minor modifications or projects needs to be aggregated for NSR applicability purposes?

The review is case-by-case for any facility permit action. Information in the form of the permit activity and applications on file at our District/Local offices would be used to assist in recognizing possible smaller changes that would actually be part of one major project. Factors we would evaluate include, but are not limited to, the following: are the minor projects financed the same, are the under the same management, do they work together to achieve an overall goal of the company, are they generally within the same planning cycle of the company and industry, and do company statements indicate they were planned together.

Y ☒ N ☐ 3. When requests are made to permit new or modified emissions units as separate minor changes over time, do you evaluate whether the permitting process is purposely staged as minor when the changes are really one permitting action subject to major NSR?

II Prevention of Significant Deterioration (PSD)

Note: The PSD program implements part C of Title I of the Clean Air Act for new or modified major stationary sources.

A) Program Benefits Quantification

Y ☒ N ☐ 1. In your opinion, is the PSD program an incentive to reduce emissions below major source levels?

Yes, many companies obtain synthetic minors to avoid PSD.

Y ☒ N ☐ 2. In your opinion, have PSD permits been used as the authority to implement other priorities such as toxic emission reductions and improved monitoring and reporting?

PSD permits have not been used in Ohio to implement any toxics programs. Ohio EPA utilizes our state BAT rule as the authority for toxics. We have used the PSD program to implement monitoring and reporting as required by the PSD rules.

Y ☒ N ☐ 3. In your opinion, does the case-by-case nature of a PSD permit allow you to implement emission reducing programs or controls more quickly than rulemaking?

Yes, case-by-case BACT does force a more immediate implementation of new controls. It also tends to force companies to search for and try out new control options. Rulemaking is typically too slow because it requires many sources to be using the proposed control before rules can be developed. This does not lead to innovation.

Y ☒ N ☐ 4. In your opinion, does the PSD program provide communities a mechanism to be involved in improving their own air quality?

It allows the opportunity for the communities to participate in the process. However, it is often difficult for communities to influence the end result because of the complexity of the issues and rules and because of the lack of expertise at the community level.

Y ☒ N ☐ 5. In your opinion, has the PSD program contributed to sustaining good air quality?

Yes, the PSD program has resulted in minimizing the impacts of new sources by requiring state of the art control at installation of the sources. This is a very cost effective approach to controlling emissions.

B) Best Available Control Technology (BACT)

Y ☒ N ☐ 1. Do you require permit applicants to use the "top-down" method for determining BACT? If no, what approach do you require?

The top-down method is used. We expect the applicant to identify all controls for a given pollutant, then explain how any may be infeasible for use in their case. The applicant then looks at feasible controls for amount of emissions reduction and cost involved (cost effectiveness study).

Y ☒ N ☐ 2. Do you commonly use information resources other than the RACT/BACT/LAER Clearinghouse to identify control options, costs, etc.? If yes, what resources do you commonly use and rate the usefulness of each one?

Ohio pollutant specific rules, Ohio BAT determinations established in issued minor source permits, regional databases (like the turbine or utility boiler databases) and any other state permits we become aware of. If the selection is borderline, then ask the permittee to look for more

options, and may also have the permittee consider Technology Transfer.

Y ☒ N ☐ 3. Do you provide a detailed documentation/ explanation of draft BACT determinations in the public record?

Y ☒ N ☐ 4. In your public record for draft BACT determinations, do you provide an economic rationale if a BACT option is rejected as being prohibitively expensive?

We provide a response that states we believe a particular control option is not cost effective in our write-up for the PSD permit. This involves a description of why the particular control option was selected. This write-up is sent out to the interested parties when the draft permit is issued and it is considered a public record.

5. What procedures do you use to calculate baseline emission rates for calculation of cost effectiveness values? What do you view as "uncontrolled" emissions?

We evaluate the applicant's proposal and their basis for this part of the calculation. The baseline rate is generally the uncontrolled PTE emissions level. Uncontrolled emissions would be the level without any work practices, design improvements or add-on control devices. If the applicant is willing to take a restriction, we can base the cost effectiveness on the emissions associated with that restriction. The restriction would then be used to help define the source for BACT purposes. The restriction would need to follow all normal procedures for synthetic minor restrictions including the normal record keeping and reporting required for synthetic minors. Applicants may also agree to restrictions if they need to meet some modeling criteria. An example of the use of restricted emissions to do the cost

effectiveness calculation is for the Miami University PTI 14-05536. This permit is for two natural gas fired engines that have been restricted to 3,500 hours per year each. This restriction got them out of BACT so that only BAT applied. The cost effectiveness analysis was done based on the restriction.

Y ☒ N ☐ 6. Do you consider combinations of controls when identifying and ranking BACT options (e.g., low organic solvent coatings plus thermal oxidation)?

Ohio EPA would consider all options for controls including the option of utilizing combination controls. We would typically look to see what control options (including control combinations) have been used in the same industry. We would expect applicants to evaluate any control combination that seems to make engineering sense.

Y ☒ N ☐ 7. Do you ever re-group the emissions units included in a cost evaluation? For example, if an applicant's approach is to evaluate the cost of controlling each unit separately, do you ever consider combining units for control by one control device? Conversely, if an applicant combines all units for control by one control device and concludes this approach is too expensive, do you ever consider controlling individual units or a small group of units that have the greatest percentage of total emissions?

Ohio EPA expects applicants to review all reasonable options for control. Re-grouping is one of the options considered for control. Ohio EPA evaluates the possible options and decides if it is likely that an alternative grouping is likely to be more effective. If so, then Ohio EPA requires the permittee to evaluate that option.

It is relatively rare for regrouping to be necessary. Ohio EPA could not find an example of permit where regrouping was evaluated.

Y ☒ N ☐ 8. Do your PSD permits specify emissions limits and control methods consistent with the basis (and capabilities) of the selected BACT options?

9. How do you establish the compliance averaging times for BACT emissions limits?

In our Ohio minor and major source permit program, we strive to include emissions limit for all pollutants involved: annual and short-term (except when a short-term limit is not necessary, traditional minor fugitive sources). BACT units would receive a short-term limit, and the length of time and the units of the limit would be dictated by the type source, and case-by-case. Typically, a short-term limit for Ohio is under 3 hours, and occasionally is a 24-hour period. The averaging times are defined by the Test Method. A lb/hr limit would usually be based on a 1-hr averaging time unless the Test Method says something different. CEMS is usually a 1 - 3 hour average.

Y ☒ N ☐ 10. Do you make sure that permit conditions impose restrictions consistent with BACT evaluation assumptions? For example, if the annual emissions used in a BACT cost evaluation are based on an assumption of less than continuous operation and/or operation at less than maximum capacity, do permit conditions contain limits based on the assumption used?

Ohio EPA considers any permit where restrictions are imposed in order to avoid a BACT or BAT control to be a type of synthetic minor. We require these types of synthetic minors to contain all of the typical synthetic minor restrictions and terms. This includes the imposition of rolling 12-month limits on process operations. An example of

the use of restricted emissions to do the cost effectiveness calculation is for the Miami University PTI 14-05536. This permit is for two natural gas fired engines that have been restricted to 3,500 hours per year each. This restriction got them out of BACT so that only BAT applied. The cost effectiveness analysis was done based on the restriction.

For questions 11-16 regarding BACT cost evaluations:

Y ☐ N ☒ 11. Do you allow deviation from EPA's recommended cost evaluation procedures? If yes, please explain.

12. Do you place primary reliance on total or incremental cost effectiveness values? If you give greatest (or equal) weight to incremental costs, what is your basis for doing so?

The studies submitted normally evaluate total coat of the control system, and the entire amount of emissions that will be reduced by the system. This is also the method that we utilize during review. We do not allow applicants to utilize incremental cost effectiveness unless it is to compare two control scenarios that result in the same amount of emission reduction.

Y ☒ N ☒ 13. Do you place primary reliance on a comparative cost approach or a "bright line" test?

Typically there will not be two options that give similar costs. When there are, the control option that reduces the most emissions would be selected. However, these situations case-by-case, and we would normally involve the applicant and U.S. EPA in the decision process, if there were any question or controversy.

If this question is asking if we rely on a bright line cost effectiveness number, then the answer is

no. Although an approximate cost effectiveness value is sometimes known, it is more important to compare the costs of other similar recent installations to determine if the proposed project is cost effective or not. This is often difficult because of limited data on cost effectiveness and the unknowns about how consistent the various cost effectiveness values have been calculated. When limited data is available, judgements are made concerning the quality of the available data before a decision is made on BACT.

Y ☒ N ☐ 14. If you place greatest importance on a comparative cost approach, do you try to obtain cost data for projects outside your permitting jurisdiction?

We try to obtain any available data. This may mean we obtain data from projects outside Ohio... it just depends upon what data is available. Cost data is hard to find and unreliable. Ohio more relies on the argument that similar sources must employ controls.

Y ☒ N ☐ 15. If you use what can be described as a "bright line" test, what is the basis of your "bright line" cost effectiveness value and do you change the value over time to account for inflation?

The basis is namely the dollars/ton amounts that have been deemed cost effective for other recent permits, but again, these are case-by-case evaluations. As time goes by, any inflation should be factored in, so the amount would tend to raise over a period of years.

Y ☐ N ☒ 16. Do you use a different cost approach for different pollutants? If yes, please explain.

17. Under what circumstances do you conduct a BACT cost evaluation independent of the cost evaluation provided by the applicant? (An independent

evaluation could entail obtaining additional vendor quotes.)

This "check" would be performed (using our spreadsheet software) whenever we think there is a need to examine the data calculation, but during the normal review, we make sure the items included in the cost calculation were among the things that are allowed, and that the values are reasonable. The methodology for doing the study is becoming more standardized. Ohio's Engineering Guide #46 deals with cost analysis.

Y ☐ N ☒ 18. Are cost estimates required to be referenced to a common base year (e.g., 1998) so that cost estimates can be easily compared?

Y ☐ N ☒ 19. Are other agencies contacted to determine if their cost estimates need to be normalized before comparisons can be made?

Y ☒ N ☒ 20. Do you perform a BACT assessment for all new/modified emissions units or activities emitting a pollutant subject to PSD review no matter how small the emissions from an affected unit or activity?

The applicant is required to include a BACT proposal for all units in the project that trigger PSD review. Small units may not always undergo a full cost-effectiveness study, and the BACT determination would be based on the levels that have applied to similar source recently permitted (those included in the RBLC or located otherwise).

Below is an example from a Lima Energy PTI (03-13445). This permit is for a turbine project but it has other small sources associated with it. Each small source has a limit that is defined for BACT. In this case, the terms listed below are for a fugitive dust source.

Part III - SPECIAL TERMS AND CONDITIONS FOR SPECIFIC EMISSIONS UNIT(S)

A. State and Federally Enforceable Section

I. Applicable Emissions Limitations and/or Control Requirements

1. The specific operations(s), property, and/or equipment which constitute this emissions unit are listed in the following table along with the applicable rules and/or requirements and with the applicable emissions limitations and/or control measures. Emissions from this unit shall not exceed the listed limitations, and the listed control measures shall be specified in narrative form following the table.

Operations, Property, and/or Equipment	Applicable Rules/Requirements	Applicable Emissions Limitations/Control Measures
F002 - Material Handling and Storage (Vitrified Frit)	OAC rule 3745-31-05 (A)(3)	0.2 ton particulate emissions (PE)/yr No visible emissions except for a period of time not to exceed 1-minute during any 60-minute observation period. Best available control measures that are sufficient to minimize or eliminate visible emissions of fugitive dust (See A.I.2.c. - A.I.2.d.)
	OAC rule 3745-31-10 through 3745-31-20	See A.I.2.b.
	OAC rule 3745-17-08 (B)(6)	See A.I.2.e.
	OAC rule 3745-17-07 (B)(6)	See A.I.2.e.

2. Additional Terms and Conditions

2.a The material handling operations and storage areas that are covered under this permit are al those associated with the vitrified frit handling and storage.

2.b The permittee shall employ Best Available Control Technology (BACT) for controlling PE/PM_{10} on this emissions unit. BACT has been determined to be the use of best available control measures (see A.I.2.c.).

2.c The permittee shall employ best available control measures on this emissions unit for the purpose of ensuring compliance with all applicable requirements. In accordance with the permittee's permit application, the permittee shall employ the following control methods:

i. full enclosure of all conveyors; and

ii. partial enclosure of the storage areas and transfer points.

Nothing in this paragraph shall prohibit the permittee from employing additional control measures to ensure compliance. Any implementation of additional the control measures shall continue on any such operation until further observation confirms that use of the measures are unnecessary.

2.d Implementation of the above-mentioned control measures in accordance with the terms and conditions of this permit is appropriate and sufficient to satisfy the requirements of OAC rule 3745-31-05 (A)(3).

2.e The emission limitation specified by this rule is less rule is less stringent than the emission limitation established pursuant to OAC rule 3745-31-05(A)(3).

Y ☐ N ☒ 21. Do you consider increases or decreases in corollary toxic/hazardous air pollutants as part of a BACT evaluation? [This question addresses implementation of EPA's "North County Resource Recovery Remand" memo dated September 22, 1987.] If yes, please give a specific example.

Y ☐ N ☒ 22. Do you provide BACT evaluation training to new (or newly-assigned) new source review (NSR) permitting staff (other than on-the-job training)? If yes, describe the nature of the training provided.

Ohio EPA periodically holds NSR training. All new permit writers are expected to attend the Basic NSR Training. The Basic NSR training does not go into detail on BACT evaluations. Instead, it gives a quick overview of what is needed. Once the permit writers get some experience, then they

can attend the second course, Advanced NSR training. This course goes into lots of detail concerning how to do BACT evaluations.

Y ☒ N ☐ 23. Do you provide BACT evaluation refresher training to experienced NSR permitting staff? If yes, how frequently do you provide this training and what is the nature of the training provided?

This training has not been on a set schedule, but has recently been done about every two years. The training focuses on our state rules for PSD and non attainment NSR, as well as the federal rules and guidance.

Y ☒ N ☐ 24. Do you provide an information outreach program on BACT evaluations for owners of regulated sources? If yes, how frequently do you provide such information and how do you provide it?

Ohio EPA typically holds pre-application meetings with permittees for any major NSR project. During these meetings we will discuss our expectations for BACT evaluations. We will also provide good examples for the permittees to use.

In addition to the pre-application meetings, Ohio EPA staff participates in multiple seminars throughout the year. One topic often covered during these seminars is BACT evaluations.

Y ☒ N☐ 25. Do you provide an information outreach program on BACT evaluations to the public? If yes, how frequently do you provide such information and how do you provide it?

Ohio EPA has participated in the training events U.S. EPA developed and provided in Cincinnati and Indianapolis. In addition, prior to public hearings for PSD permits, Ohio EPA typically holds a public information session where the entire

permit process is explained. As part of this discussion, BACT is explained.

Y ☒ N ☐ 26. Do you enter each BACT determination in the RACT/BACT/LAER Clearinghouse?

Two years ago Ohio reorganized the method we used to get entries into the BACT/RACT/LAER Clearinghouse. The new method resulting in us getting caught up with the entries. We will now get all data entered into the Clearinghouse at least every two years.

Y ☒ N ☐ 27. Before establishing BACT as work practice, design, or operational standards do you determine that emissions limits (e.g., lbs/mmBTU, lbs/hr) are not feasible? If no, please explain.

We do not recall any case where we did not have an emissions limit for a BACT source permitted.

Y ☒ N ☐ 28. Do you apply BACT to fugitive emissions? If no, please explain.

Please see the example given in response to question 20 above.

C) Class I Area Protection For PSD Sources

1. How do you determine which proposed projects need a Class I impacts analysis, including consideration of distance of the source from Class I areas (e.g., maximum distance criteria)? Please explain.

Historically >100km was the basis for deciding whether an analysis was necessary. Today a 'significant' project within 300 km should be evaluated. Significant would be a major coal fired unit or a unit with similar emissions. Mammoth Caves in Kentucky is the closest Class I area to

Ohio, and Ohio hasn't had to deal with a Class I area in the last 5 - 10 years.

Y ☐ N ☐ 2. For new or modified sources within 10 kilometers of Class I areas do you require sources to submit an impact analysis for all pollutants to determine if any have impacts greater than 1 ug/m^3?

Not Applicable

Y ☐ N ☒ 3. Do you require applicants to submit a Class I increment analysis for each pollutant subject to PSD review for which an increment exists?

Y ☐ N ☒ 4. Do you require applicants to identify and provide a cumulative impacts analysis (maximum impact within Class I areas) for all Class I areas impacted by the source?

Y ☐ N ☒ 5. Do you have a formal procedure for notifying Federal Land Managers (FLMs)? If yes, please explain.

Y ☐ N ☒ 6. Do your permitting procedures require the applicants to notify Federal Land Managers? If yes, please explain.

Y ☐ N ☒ 7. Is there communication, consultation, and discussion between you and FLMs? If yes, to what extent(e.g, high, moderate, minimal).

Y ☐ N ☒ 8. Is there communication, consultation, and discussion between the applicant and FLMs? If yes, to what extent (e.g., high, moderate, minimal)?

Y ☐ N ☒ 9. Do you actively seek input from FLMs during the permitting process?

~~Y ☐ N ☐~~ 10. Is the applicant required to address potential adverse impacts on air quality related values (AQRVs) that are identified by the FLM during the notification process?

Not applicable

Y ☐ N ☒ 11. Do you require prior approval of Class I area impact analysis procedures that applicants plan to use?

Y ☐ N ☒ 12. Do you require applicants to perform a visibility analysis for Class I areas?

~~Y ☐ N ☐~~ 13. If a visibility impairment is indicated, do you require the applicant to notify the appropriate FLM for the Class I area?

Not applicable

~~Y ☐ N ☐~~ 14. Is the applicant required to address potential effects on scenic vistas associated with Class I areas that may have been identified by the FLM during the notification process?

Not applicable

~~Y ☐ N ☐~~ 15. Do you have a formal process for handling Class I area increment violations if predicted?

Not applicable

Y ☐ N ☒ 16. Have you issued PSD permits where the FLM objected? If yes, please explain and identify the projects.

D) Additional Impacts -Soils, Vegetation, Visibility, Growth

Y ☐ N ☒ 1. Do your PSD application forms specifically require information regarding additional impacts? If yes, include a copy of the forms.

Y ☒ N ☐ 2. If no, do you require applicants to submit sufficient information necessary to complete an additional impact analysis?

3. What resources do you use for researching additional impacts?
For most permits, no extensive review is conducted of this area. We have not been provided much guidance from U.S. EPA on any review criteria. Most of the information available comes from studies that have been done on the effects of various pollutants.

Y ☐ N ☒ 4. Do you include environmental justice issues in your analysis?

Y ☐ N ☒ 5. Has an additional impact analysis in the last 5 years been a cause for concern in an issuance of a PSD permit? If yes, please explain.

Y ☒ N ☐ 6. Do you generally allow arguments that the protection of the NAAQS will assure protection of vegetation? If yes, please explain.

In a lot of cases we would allow this argument unless the particular pollutant caused known adverse affects to vegetation. For instance, hydrogen fluoride is know to have adverse affects on vegetation. We may request additional support information to show that the amount of emission is not likely to cause significant vegetation damage.

Y ☒ N ☐ 7. Do you require that predicted short-term impacts (e.g, one hour NOx impacts) be used to assess impacts on vegetation for pollutants which do not have short term ambient standards? If no, please explain.

Y ☒ N ☐ 8. Regarding visibility impacts, do you require assessments for vistas (e.g., parks, airports) near the proposed source or modification? If no, please explain.

It is rare that a proposed source is significant enough to need visibility impact analysis. This is

because Ohio does not have national parks located within the KM distance requiring review. However, it is our understanding that through new U.S. EPA rules, the distance will be shortened so we expect to need to do this review more in the future.

E) Preconstruction Monitoring

Y ☒ N ☐ 1. Do you have formal preconstruction monitoring requirements?

Our preconstruction monitoring requirements are identical to the federal preconstruction monitoring requirements. See OAC rule 3745-31-14.

Y ☒ N ☐ 2. Do you have a formal public participation process regarding requirements for preconstruction monitoring for specific proposed projects?

The formal public participation process is the normal PTI public participation process, i.e Sun Haverhill Coke.

Y ☐ N ☒ 3. Have you ever consulted with FLM regarding preconstruction monitoring requirements for a proposed source or modification?

We have never had a situation where consultation with the FLM was necessary, but would possibly have to do in the future for a new large utility.

Y ☒ N ☐ 4. In the last five years have you ever required an applicant applying for a PSD permit to conduct preconstruction ambient monitoring or meteorological monitoring?

An example is for the Sun Coke Haverhill coke facility located in Haverhill, Ohio.

Y ☐ N ☒ 5. Do you have a formal approval/denial process at the conclusion of preconstruction monitoring?

We have never had a situation where consultation with the FLM was necessary. Therefore, we have not developed a formal process.

Y ☐ N ☒ 6. Do you have a formal process during preconstruction monitoring for resolving conflicts between the FLM and the applicant? If yes, please explain.

Y ☒ N ☐ 7. Do you routinely provide ambient monitoring data in lieu of requiring applicants to perform preconstruction monitoring? If yes, please briefly describe the monitoring network used and the basis for the monitoring value selected.

Ohio EPA runs one of the largest ambient monitoring network in the country. Because of this extensive network, we often have ambient data available to use instead of preconstruction monitoring. If monitor data is available, and we determine it is representative of the ambient conditions near the proposed site, then we allow applicants to use the data. Ohio would use existing data for large sources during time of permitting project, but require monitoring during construction for the year of preconstruction monitoring.

Y ☒ N ☐ 8. Do you follow EPA guidance (e.g., siting, equipment, data validation, audits) regarding collection of preconstruction monitoring data?

9. Under what circumstances would you require post construction ambient monitoring as a condition of a PSD permit?

If we require pre-construction monitoring, then post construction monitoring is required. Otherwise, we require post construction

monitoring if the projected emissions trip the PSD post construction monitoring thresholds.

F) Increment Tracking Procedures

1. What method do you use to assign baseline dates, e.g., county-specific, region-specific, or entire state?
County specific

Y ☒ N ☐ 2. Do you have a list of the minor source baseline dates for each area?

Ohio EPA maintains a listing of all PSD permits ever issued. This list is built on the most recent modeling for that area. This list contains information that is used to identify minor source baseline dates.

Y ☒ N ☐ 3. Do you have an understanding of receptor location dependence vs. source location dependence for increment tracking?

Ohio EPA uses the source located in the county approach.

4. Do you have a formal or informal program for increment tracking?

Informal, performed (required) for applicable PSD projects. Minor source impacts are limited, based on the increment.

Y ☐ N ☒ 5. Do you maintain and update a computerized emission source database for increment tracking that includes minor sources that affect increment? If yes, does the database include the information

needed for modeling (e.g., source locations, stack parameters, emissions)?

6. Do you use allowable or actual emissions for increment tracking purposes? If actual emissions, how do you calculate emissions for each averaging period covered by the increments?

We usually use the allowables. In some cases, where allowables are not available, we use actuals. Our averaging period is annual. If annual, then actuals can be used. For short-term, will use allowables. Ohio is working on making allowables available on the Internet.

Y ☐ N ☒ 7. Are area sources included in increment tracking analyses, e.g., growth-related and transportation-related emissions?

8. How frequently is increment consumption evaluated - on a scheduled basis or just when occasioned by a new permit application?

Just when occasioned by a new permit.

9. How "transparent" (i.e., understandable) is the emission source inventory used for PSD modeling? Could an outside reviewer (such as a member of the public) clearly identify the sources included (e.g., name, location, stack parameters) and the sources excluded in a modeling analysis?

We believe it is understandable. However, it depends upon the knowledge of the outside reviewer.

10. How do you handle interstate increment tracking (for state reviewing authorities) or interjurisdiction tracking (for local reviewing authorities), including consistency of tracking across jurisdiction boundaries?

This is done on a case-by-case basis. If a proposed project might affect another state, then we notify that state and work out any concerns.

11. What procedure do you follow in planning for and incorporating new modeling tools?

We have not developed a particular procedure.

Y ☐ N ☒ 12. Do you provide increment tracking training to NSR permitting staff (other than on-the-job training)? If yes, describe the nature of the training provided.

G) Endangered Species Act (ESA)

Y ☒ N ☐ 1. Do you have a PSD program that is fully approved by EPA (i.e., SIP-approved?)

Y ☐ N ☒ 2. Do you have a fully or partially-delegated PSD program? (Note: ESA obligations apply only when all or portions of a PSD program have been delegated.) If yes, answer questions 3 through 6 below.

~~Y ☐ N ☐~~ 3. Do you notify PSD permit applicants of their ESA obligations? If so, please provide a copy or description of your notice.

N/A

~~Y ☐ N ☐~~ 4. Do you know the difference between a formal vs. an informal consultation process?

N/A

~~Y ☐ N ☐~~ 5. Do you advise applicants, concerning their ESA obligations, to consult with a.) EPA; b.) The U.S. Fish and Wildlife Service; and/or c.) Federal Land Manager? If yes, please explain, and describe what

information you provide to applicants concerning their ESA obligations.

N/A

~~Y ☐ N ☐~~ 6. Does an ESA consultation affect the timing of your issuance of a proposed or final PSD permit? If yes, please explain.

N/A

II Nonattainment NSR

A) Program Benefits

Y ☒ N ☐ 1. In your opinion, is the nonattainment NSR program an incentive to reduce emissions below major source levels?
Yes, permittees have a strong incentive to keep emissions below non attainment NSR thresholds. We process a lot of synthetic minors or netting permits that avoid non attainment NSR.

Y ☒ N ☒ 2. In your opinion, have nonattainment NSR permits been used as the authority to implement other priorities such as toxic emission reduction and improved monitoring and reporting?

Nonattainment NSR has not been used as the authority to implement toxics. Ohio EPA uses our state BAT rule as the authority for any toxic limits. To the extent required in the non attainment NSR rules, the rules have been used to improve monitoring and reporting.

Y ☒ N ☐ 3. In your opinion, does the case-by-case nature of a nonattainment NSR permit allow you to implement emission reducing programs or controls more quickly than rulemaking?

Yes, case-by-case LAER does force a more immediate implementation of new controls. It also tends to force companies to search for and try out new control options. Rulemaking is typically too slow because it requires many sources to be using the proposed control before rules can be developed. This does not lead to innovation.

Y ☒ N ☐ 4. In your opinion, does the nonattainment NSR program provide communities a mechanism to be involved in improving their own air quality?

It allows the opportunity for the communities to participate in the process. However, it is often difficult for communities to influence the end result because of the complexity of the issues and rules and because of the lack of expertise at the community level.

Y ☒ N ☐ 5. In your opinion, have the nonattainment NSR requirements contributed to reducing emissions or avoiding emissions increases in nonattainment areas?

Yes, the non attainment NSR program has resulted in minimizing the impacts of new sources by requiring state of the art control at installation of the sources. This is a very cost effective approach to controlling emissions. It is also a timely approach because since money is available for the planned expansion, money is also available for the needed controls. For existing sources, this is not always the case and it is often more difficult to get management to spend the money for the controls.

B) NSR Offsets

Y ☐ N ☒ 1. Do you have an emissions “bank” for offsets? If no, go directly to 10.

Any offsets needed are generated on a case-by-case basis. It has not been necessary for

us to have an offset bank because we have more recently had minimal non attainment areas. We are thinking about implementing a bank system in the future because of the significant number of non attainment areas.

~~Y ☐ N ☐~~ 2. Is the bank a database used for emissions trading? Please explain how the trading works.

N/A

~~Y ☐ N ☐~~ 3. Do you, as the reviewing authority, control the trading of credits in the "bank"? If no, who controls the trading?

N/A

~~Y ☐ N ☐~~ 4. Are the credits certified "creditable" (including surplus for attainment planning purposes and other Clean Air Act requirements) by you at time of entry into the bank?

N/A

~~Y ☐ N ☐~~ 5. Are the credits evaluated and certified "creditable" (including currently surplus) at the time of withdrawal and use? If no please explain.

N/A

6. How long are the "offsets" valid from time of reduction?

N/A

~~Y ☐ N ☐~~ 7. Are the banked credits included in the attainment demonstration and inventory as "real emissions" (i.e., emissions being emitted into the air)?

N/A

~~Y ☐ N ☐~~ 8. Are the banked credits used for NSR offsets only? If no, what are the other uses?

N/A

~~Y ☐ N ☐~~ 9. Are the banked credits discounted with time? If yes, please explain the discounting procedures.

N/A

10. How do you determine that the reductions being used are properly included in the attainment demonstration?

Offset credits are evaluated to determine if they have already been used in the attainment inventory. If they have already been used, then they generally cannot be used as an offset.

Y ☒ N ☐ 11. Are the emissions reductions available for NSR offsets only allowed from the same non attainment area as the proposed source or modification? If no, please explain.

For ozone non attainment, NOx and VOC offsets must be in the same non attainment area although under NSR reform, adjacent areas may sometimes be used. For other pollutants, modeling is done to confirm that there is a net air quality benefit.

12. What procedures do you use to determine the baseline to quantify the reductions? How do you quantify the amount of creditable reduction?

Before NSR Reform, we required permittees to determine the most recent two-year actual emissions prior to the change. This will typically be done using production data and the best emissions data available. If the permittee could prove that another two-year period within the previous five years represented normal production, then we could use the alternative two-year period.

Y ☒ N ☐ 13. Are the records for determining actual emissions available for review by you?

As part of the NSR write-up, Ohio asks the applicant for supporting information on actuals.

Y ☒ N ☐ 14. Are copies of permits required as part of the permit application to determine if the reductions from other sources being proposed as NSR offsets are federally enforceable?

We typically require either documentation of the shutdown of an offsetting source or the processing of a federally enforceable permit-to-install that restricts the offsetting source.

15. How do you verify that the reductions proposed for NSR offsets are "surplus" to other Act requirements and are "real," i.e., reductions in emissions that were actually emitted into the air?

We evaluate the offsetting emissions to make sure they are not already required by some other rule. We also do a detailed analysis of the calculation of the offsetting emissions to determine if the emissions reductions actually do occur. We check to see if they are already accounted for in the SIP inventory, if so, they can't be used. We also make sure the permittee is not using reductions already required by some enforcement action.

16. What process do you use to verify that the reductions were not used in a previously issued permit?

As part of our evaluation, we evaluate the existing permits of the offsetting source. If the source were required to reduce emissions for offsetting purposes, it would be documented in the existing permits.

Y ☐ N ☒ 17. Do you allow interpollutant trading for NSR offsets? If yes, please describe this trading procedure (e.g., pollutants allowed, ratio of reductions required, eligibility criteria, etc.).

If U.S. EPA issued guidance concerning interpollutant trading for NOx vs. VOC in ozone areas, and NOx vs SO2 vs NH3 in PM2.5 areas, we would utilize that guidance.

Y ☐ N ☒ 18. For serious and severe ozone nonattainment areas do you allow "internal offsets" instead of lowest achievable emissions rate (LAER)? What is the offset ratio?

We do not have any serious or severe ozone non attainment areas.

Y ☐ N ☒ 19. Do you allow credits used for netting to be used as nonattainment NSR offsets?

Y ☒ N ☐ 20. Do your nonattainment NSR rules require the offset ratios prescribed in the Clean Air Act? If no, please explain what other ratios are used?

Y ☒ N ☐ 21. Do you require that applicants proposing to use NSR offsets include a "net air quality benefit" modeling analysis as part of their permit application? If yes, please describe what information is required.

The net air quality benefit test is met for ozone if the offsets are located in the same non attainment area and no modeling is required. For other pollutants, we require modeling analysis to demonstrate that a net air quality benefit has been achieved. This analysis is submitted with the applicants application.

C) LAER Determinations

Y ☐ N ☒ 1. Do you require permit applicants to use a top-down approach to determine the most stringent control option available for LAER? If no, what approach do you require?

We follow the rule definition of LAER, which is essentially the most stringent limit in existence (found in any state SIP or permitted unit).

Y ☒ N ☐ 2. Do you require a permit applicant to identify all available control options? If yes, do you require the applicant to identify control options as being:

Y ☒ N ☐ a. Achieved in practice?

Y ☒ N ☐ b. Contained within the SIP of any other state or local reviewing authority?

Y ☒ N ☐ c. Technologically feasible?

Y ☐ N ☒ d. Cost effective?

The cost would only be an issue in a case where the cost would be prohibitive to the extent that the source could not operate, ie. would be out of business.

Y ☒ N ☐ 3. Do you use information sources other than the RACT/BACT/LAER Clearinghouse to identify control options? If yes, what information sources do you commonly use and rate the usefulness of each?

In general, other states are contacted (by the applicant and/or reviewers), Internet "web" searches conducted, trade organizations for same/similar source consulted, during application preparation and review. Can also get information during discussions with the company and also during pre-application meetings.

4. Please describe under what circumstances you would conduct a LAER analysis independent of the analysis conducted by the permit applicant.

Ohio has received very few non attainment applications in recent years. For the only permit in recent years, independent analysis was also conducted, to help verify the information. For most BACT and LAER applications, we will review the data submitted and do our own search for any other germane data.

Y ☒ N ☐ 5. Do you submit your LAER determinations to the EPA's RACT/BACT/LAER Clearinghouse?

Y ☒ N ☐ 6. Do you consider technology transfer in your LAER determinations?

7. If you consider cost effectiveness in LAER determinations, please describe the procedures used. (For example, describe the procedures used to calculate the baseline emission rate in the cost effectiveness determination.) For each criteria pollutant, provide the dollar/ton threshold used to determine whether a control option is cost effective (and state whether this is total or incremental cost).

Not applicable.

Y ☐ N ☒ 8. Do you use a different cost approach for different pollutants? If yes, please explain.

Y ☒ N ☐ 9. Do you provide detailed documentation or explanations of proposed LAER determinations in the technical support document (TSD) or public record?

Y ☒ N ☐ 10. Do you provide an economic rationale in the TSD or public record if a LAER option is rejected as being prohibitively expensive?

Y ☐ N ☒ 11. Do you consider combinations of controls when identifying and ranking LAER options?

Only when this would be something already applied in a SIP or a source in operation. See similar answer in BACT section.

Y ☒ N ☐ 12. Do you perform a LAER assessment for all new/modified emission units or activities emitting a non attainment pollutant subject to major NSR review no matter how small the emissions from an affected unit or activity?

Y ☐ N ☒ 13. Does your LAER analysis include "time of" considerations? (For example, if a new or modified source had constructed without a permit and at a later time went through nonattainment NSR review, would you consider LAER at the time of permit issuance or at the time of emission unit construction/ modification?)

This would be a case-by-case review, but the level of technology expected to be implemented would be consistent with the time of construction. However, U.S. EPA enforcement guidance (the injunctive relief policy) would also be followed, which could dictate another technology or emissions level. There are two scenarios: 1) the company wants to increase emissions (not likely), 2) a violation, then follow the Injunctive Relief Policy which says to use today's current day LAER/BACT. This hasn't happened often in Ohio.

Y ☒ N ☐ 14. Do your permits contain conditions requiring specific emission limits/control method conditions/work practice standards consistent with the basis (and capabilities) of the selected LAER option?

15. Please describe how you establish compliance averaging times for LAER emission limits.

The permit limit we set would be consistent with the most stringent limit found, and would follow that time frame, unless there was good reason to adjust it to another time period, for the particular case.Since Ohio would normally require both a short term limit (like lb/hr or lb/mmBtu) and an annual limit (ton/yr), the averaging times would match up to the limits. We generally discourage averaging times that are different than the limit times (i.e., lb/hr on a monthly basis).

Y ☒ N ☐ 16. Do your permits contain conditions requiring emissions testing, monitoring, record keeping, and reporting so that inspectors and enforcement personnel can easily determine compliance with LAER requirements? If no, please explain.

Y ☒ N ☐ 17. Do you ensure that permit conditions impose restrictions consistent with the LAER determination? (For example, if emissions used in the LAER determination are based on an assumption of less than continuous operation and/or operation at less than maximum capacity, do permit conditions contain limits or restrictions based on the assumptions used?)

The only permit we have processed so far that had to meet non attainment NSR was the Chrysler permit (really 4 permits). Below is a excerpt from PTI 04-01358 that describes the fuel usage limitation that is part of the LAER restriction for the permit.

II. Operational Restrictions

1. The permittee shall burn only natural gas in this emissions unit.

2. The maximum annual natural gas usage for B301 through B333, K301, K302, and K303 shall not exceed 845 mmscf, based upon a rolling, 12 month summation of the natural gas usage figures.

To ensure enforceability during the first 12 calendar months of operation following the issuance of this permit, the permittee shall not exceed the natural gas usage levels specified in the following table:

Month	Maximum Cumulative Monthly Natural Gas Usage (mmscft)
1	387
2	774
3	845
4	845
5	845
6	845
7	845
8	845
9	845
10	845
11	845
12	845

After the first 12 calendar months of operation, compliance with the annual natural gas usage shall be based upon a rolling, 12-month summation of the monthly natural gas usage.

18. Please describe how you incorporate public comments into your LAER determinations.

All non attainment NSR or LAER permits are issued in draft form allowing for a 30-day public comment period. If there is significant public interest and a request for a public hearing is received, a public hearing and possibly an information session are held. Public and U.S. EPA comments are reviewed and any technically related comments are closely explored to ensure the permit requirements and sources meet LAER.

Y ☒ N ☐ 19. Do you provide LAER evaluation training to new (or newly-assigned) NSR permitting staff other than on-the-job training? If yes, please describe the nature of the training provided.

Ohio EPA periodically holds NSR training. All new permit writers are expected to attend the Basic NSR Training. The Basic NSR training does not go into detail on LAER evaluations. Instead, it gives a quick overview of what is needed. Once the permit writers get some experience, then they can attend the second course, Advanced NSR training. This course goes into detail concerning how to do LAER evaluations.

Y ☒ N ☐ 20. Do you provide LAER evaluation refresher training to experienced NSR permitting staff? If yes, how frequently do you provide this training and what is the nature of the training provided?

This training has not been on a set schedule, but has recently been done about every two years. The training focuses on our state rules for PSD and non attainment NSR, as well as the federal rules and guidance.

Y ☒ N ☐ 21. Do you provide an information outreach program on LAER evaluations for owners or operators of regulated sources? If yes, how frequently do you provide such information and how do you provide it?

Ohio EPA typically holds pre-application meetings with permittees for any major NSR project. During these meetings we will discuss our expectations for LAER evaluations. We will also provide good examples for the permittees to use.

In addition to the pre-application meetings, Ohio EPA staff participates in multiple seminars throughout the year. One topic often covered during these seminars is LAER evaluations.

Y ☐ N ☒ 22. Do you provide an information outreach program on LAER evaluations to the general public? If yes, how frequently do you provide such information and how do you provide it?

See similar question in BACT section.

D) Alternatives Analysis

Y ☒ N ☐ 1. Does each nonattainment NSR permit action address the alternatives analysis as required by section 173(a)(5) of the Clean Air Act?

Y ☒ N ☐ 2. Is this alternatives analysis a specific requirement of your nonattainment NSR rules?

Y ☒ N ☒ 3. Do you have criteria that would address the depth of analysis required for a specific project?

We use the U.S. EPA guidance concerning alternative analysis to extent it is available.

Y ☒ N ☒ 4. Do you include project-specific environmental justice issues that are raised as part of this analysis?

Environmental justice issues are evaluated if raised. They are then evaluated on a case-by-case basis.

Y ☒ N ☐ 5. Do you know of any projects where this analysis resulted in changes to proposed projects? If yes, what changes resulted?

We have had cases where the control scenario has changed because of the analysis.

E) Compliance of Other Major Sources in the State

Y ☒ N ☐ 1. Do you require the permit applicant to demonstrate that all major stationary sources owned or operated by the applicant in your State are subject to emission limitations and are in compliance, or on a schedule for compliance, with all applicable emission limitations and standards?

This is not on the application, but is typically discussed in the pre-application meeting with the permittee.

2. Please describe – a) the criteria used by an applicant in a statewide compliance demonstration, and b) when in the permitting process you require the applicant to make the statewide compliance demonstration.

The applicant needs to provide this element as part of a complete application for non attainment NSR. We do not have a developed criteria for this, but do have the capability to check compliance all of a certain company's plants in the state. Ohio will check with their field offices, and the company must certify compliance.

IV Minor NSR Programs

A) NAAQS/INCREMENT Protection

Y ☒ N ☐ 1. Do you use modeling to assure that minor sources and minor modifications will not violate the NAAQS?

Y ☐ N ☒ 2. As a result of modeling are air quality monitors required for some sources as a permit condition?

Y ☒ N ☐ 3. For the pollutants with PSD increments established do you have a list of areas where the minor source baseline has been triggered?

Y ☒ N ☐ 4. Do you model minor sources for PSD increments if the minor source baseline is triggered?

Y ☒ N ☐ 5. Do you have procedures in place to identify minor sources that consume or expand PSD increment?

Engineering Guide #69 describes our increment procedures. Modeling thresholds for minor sources is less that 50% of the PSD increment

or the source needs to model. See http://www.epa.state.oh.us/dapc/engineer/eguides/guide69.pdf

6. How does the public access a list of sources that affect PSD increments?
The public would need to follow the procedure used by PSD permit applicants to obtain a list and locations of sources consuming increment. Look at the file review for application or contace CO modeling staff to find the sources.

B) Control Requirements

Y ☒ N ☐ 1. Does your SIP require any level of control for emissions units not subject to major NSR requirements (e.g., BACT or LAER)? For example, do you have a BACT or similar requirement for minor modifications?

Our state permit rules for new or modified minor (and major) source require the source to employ Best Available Technology (BAT). In addition, we have pollutant-specific rules with limitations that apply to existing and new source.

Y ☒ N ☐ 2. Are there any monitoring or reporting requirements for minor sources?

Depends on emissions, the smaller the source the less reporting. Most minor sources have limits at PTE and only have to report deviations.

Y ☒ N ☐ 3. Does the application or permitting process require modeling for minor sources?

Ohio EPA requires minor sources to do modeling for various pollutants. Modeling is required if the annual emissions from the sources are expected to be at or above the modeling thresholds described in Engineering Guide #69.

Consumption of half the increment is the cut-off for need to do modeling. See http://www.epa.state.oh.us/dapc/engineer/eguides/guide69.pdf

Y ☒ N ☐ 4. Do you require minor sources with Federally applicable permit limits for MACT, NSPS, or NESHAP to report compliance?
This would be true for any standard requiring compliance reporting.

C) Tracking Synthetic Minor NSR Permits

Y ☒ N ☐ 1. Do you have records listing sources permitted as synthetic minors? If yes, how is this list updated?

Our permit tracking system tracks the type of permit issued. Synthetic minors are one of the types tracked. Upon request, we could generate a list of issued permits that were Synthetic Minors.

Y ☒ N ☐ 2. Do you have an established procedure for tracking synthetic minor permits?

Y ☒ N ☐ 3. Do you include "prompt deviation" reporting requirements in synthetic minor source permits? If yes, how do you define "prompt deviation"?

Reports are required on a quarterly basis. Prompt reporting of malfunctions is explained in 3745-15-06.

Y ☒ N ☐ 4. Do permit applications your agency reviews, and permits issued identify the requirements (e.g., PSD, non attainment NSR, Title V, NESHAP) being avoided by keeping the source minor?

V. Public Participation

A. Public Notification

1. What criteria are used to determine if a permit is public noticed?

Y ☒ N ☐ Are new nonattainment NSR and PSD permits noticed?
Y ☒ N ☐ Are major modifications noticed?
Y ☒ N ☐ Are synthetic minor permits noticed?
Y ☒ N ☐ Are netting permits noticed?
Y ☒ N ☐ Are minor permits noticed?

The first four above are for public comment period, while the last one is not (the minor permits have no public comment period). Ohio EPA publishes a notice of receipt of the application for all PTI applications (whether minor or major) and for any actions of the director (issuance of a draft PTI, issuance of a final PTI). Only certain types of PTIs are issues as a draft permit before being issued as a final permit. The types include: PSD, Non attainment NSR, synthetic minors, MACT (except for drycleaners and chrome plating), netting, and controversial permits. Any permit issued draft has a 30-day public comment period and the opportunity for interested parties to request a hearing.

Y ☒ N ☐ 2. Do you publish notices on proposed NSR permits in a newspaper of general circulation?

We public notice using the newspaper having largest circulation in the county where the source will locate.

Y ☒ N ☐ 3. Do you use a state or other publication designed to give general public notice? If yes, please describe.

We publish all director's actions (receipt of application, issuance of draft or final PTI, etc.)

in a document called the director's journal. This is published manually, and on the web.

Y ☒ N ☐ 4. Do you have procedures for notifying the public when major NSR permit applications are received?

Yes, please see the response to question 1 above.

Y ☒ N ☐ 5. Have you developed a mailing list of interested parties for NSR permit actions [e.g., public officials, concerned environmentalists, citizens]? If yes, how does one get on the list?

Our public information staff maintain mailing lists of interested parties from different areas of the state. If a controversial project is proposed in one of these areas, we will send out information to those on the mailing lists. Also, if we hold a public hearing, we will collect names of interested parties at the hearing so we generate a list for that specific project. Anyone can get on the list just by supplying us with their name, address or e-mail address.

For instance, we recently held a public hearing for the FDS Coke plant in Toledo. In our opening remarks, we specifically mentioned how interested parties can get on the mailing list for the permit we supplied a sign-in sheet for those who wanted to get on the list. This list contains interested parties from citizens, environmental groups, other states, U.S. EPA, the press, and Canadian officials. Also General Interested Party, specific issues, specific permits, and county are things to consider.

We also maintain various lists for rule development projects. For instance, we maintain a list of interested parties for any rule development projects and one for the NSR Reform project we recently completed.

Y ☒ N ☐ 6. Aside from methods described above, do you use other means for public notification? If yes, what are they (e.g., post notices on your webpage, email)?

Some permit processing and issuance information is accessible on our web page.

Y ☒ N ☐ 7. Do your public notices clearly state when the public comment period begins and ends?

8. What is your opinion on the most effective ways to provide public notice?

We believe our standard news paper notice procedure is effective. For permit hearings, we also issue a news release.

Y ☐ N ☒ 9. Do you provide notices in languages besides English?

Y ☒ N ☐ 10. Have you ever been asked by the public to extend a public comment period? If yes, did you grant the extension? If no, please explain?

We typically do grant extensions when requested. The decision on whether or not to grant an extension depends on a number of factors including the controversial nature of the project, the time interested parties have already had to review the project, the complexity of the project, and the timeliness needs of the permittee.

One example of this situation was when we were processing the FDS Coke plant original permit in Toledo, Ohio (PTI number 04-01360). The original comment period was planned to end May 14, 2004. We extended the comment period to May 24th.

11. What approximate percentage of your major NSR permits are revised due to public comments?

We don't have the information available to possibly answer this accurately. The majority of our major NSR/PSD draft permits are revised before finalization due to comments received from any interested party (citizens, the permittee, U.S. EPA, etc.). Ohio EPA receives more comments on minor NSR permits than major NSR permits.

12. If a draft permit is revised, what criteria do you use to determine if a permit should be re-issued in draft?

This is a rare situation and would be a case-by-case determination, but revision of key elements, such as an appreciable increase in an emissions rate, or significant terms revisions would likely result in a re-draft.

13. What type of comments or other concerns trigger a public hearing?

Normally, it would be the amount of public interest or interest of an elected official, rather than the reason for concern, that is considered by the agency.

14. How are public hearings noticed? How much notice is given?

They are noticed in the same manner that draft PTIs are noticed, the largest circulation newspaper, at least 30-days prior to hearing.

15. What is your process for the public to obtain permit-related information (such as permit applications, draft permits, deviation reports, monitoring reports) especially during the public comment period?

The notice contains information about how the public can review the application and permit, which is normally by contacting their District or Local office. Public can request information without doing a FOIA. See Title V section for cost information. Public can access information at their library (including permit and application) for controversial permits.

Y ☒ N ☐ 16. Do you have a website for the public to get permit-related documents? What is available online? How often is the website updated? Is there information on how the public can be involved?

Permit tracking information is available from our system on the web, as well as the issued draft and final permits. We have a wealth of information on the web including information on how the public can get involved. The website is updated at least weekly, often daily.

Y ☒ N ☐ 17. Do you provide training to citizens on public participation or on NSR? If yes, approximately how many training opportunities have been provided in the last five years.

Ohio EPA does not have a formal training program. However, Ohio EPA staff provide one-on-one training to many citizens on a daily basis concerning individual permits and possibilities for public participation. In addition, Ohio EPA sets up meetings with citizen groups to discuss concerns and issues typically concerning a particular facility. These meetings often are used to help citizens understand how they can participate.

18. How do you notify affected States (including tribes and Canada) of draft permits?

We maintain lists of names and addresses of adjacent state agencies for other states, tribes and Canada. When a permit is to be issued in pre-

identified areas, copies of any permit actions are sent to the associated other state or agency.

Y ☒ N ☐ 19. Do public notices for PSD permits specifically state the amount of increment consumed?

An example Public Notice with the increment consumed is listed below:

SUMMIT COUNTY

PUBLIC NOTICE
ISSUANCE OF DRAFT PERMIT TO INSTALL
SUBJECT TO PREVENTION OF SIGNIFICANT DETERIORATION REVIEW
FOR NORTON ENERGY STORAGE, LLC

Public Notice is hereby given that the Staff of the Ohio Environmental Protection Agency (EPA) has recommended to the Director that the Ohio EPA issue a draft action of a Permit to Install (PTI) to Norton Energy Storage, LLC in Summit County, Ohio. The draft was issued on May ,2001.

This draft permit proposes an allowable emission rate from the operation of natural gas fired combined cycle turbines and auxiliary equipment at the facility. The new allowable emissions are, in tons per year:

Particulate Matter less than 10µm (PM_{10})	245
Sulfur Dioxides (SO_2)	48.72
Carbon Monoxides (CO)	1768.53
Nitrogen Oxides (NO_x)	372.13
Volatile Organic Compounds (VOC)	148.34
Sulfuric Acid Mist (H_2SO_4)	4.8

This facility is subject to the applicable provisions of the Prevention of Significant Deterioration (PSD) regulations as promulgated by U.S. EPA (40 CFR 52.21).

The maximum ambient increment allowed by U.S. EPA for PM_{10} is 30 micrograms/meter^3 ($\mu g/m^3$) on a 24-hour average, and is 17 $\mu g/m^3$ on an annual average; for NO_x, it is 25 $\mu g/m^3$ on an annual average; for SO_2, it is 512 $\mu g/m^3$ on a 3-hour average, is 91 $\mu g/m^3$ on a 24-hour average, and is 20 $\mu g/m^3$ on an annual average. The Ohio EPA allows PSD sources to consume less than one half the available increment.

This facility has demonstrated that the impacts from the new sources are less than the PSD significant impact increments of 1 $\mu g/m^3$ on an annual average, 5 $\mu g/m^3$ on a 24-hour average for PM_{10}; 2000 $\mu g/m^3$ on a 1-hour average, 500 $\mu g/m^3$ on

a 8-hour average for CO; 1 $\mu g/m^3$ on an annual average for NOx; 25 $\mu g/m^3$ on a 3-hour average, 5 $\mu g/m^3$ on a 24-hour average, and 1 $\mu g/m^3$ on an annual average for SO_2. Therefore, the impacts are insignificant and increment and NAAQS modeling are not required. Based on this analysis, the project complies with the PSD modeling requirements.

A draft action (permit no. 16-02110) was issued on May , 2001. Within 30 days from the date of this notice, any interested party may submit comments or request a public hearing. Comments are to be sent to Sean Vadas, Akron Regional Air Quality Management District, Room 904, 146 S. High Street, Akron, Ohio, 44308.

Further information concerning this application, which is available for public inspection, may be secured from Akron Regional Air Quality Management District at the above address during normal business hours. Telephone number: (330) 375-2480.

Y ☒ N ☐ 20. Are public notices for PSD permits sent to each party identified in 40 CFR 51.166(q)(2)(iv)?

Below is an example public notice.

LUCAS COUNTY

PUBLIC NOTICE PUBLIC HEARING
OHIO ENVIRONMENTAL PROTECTION AGENCY
ISSUANCE OF DRAFT PERMIT TO INSTALL
SUBJECT TO NONATTAINMENT NEW SOURCE REVIEW AND
PREVENTION OF SIGNIFICANT DETERIORATION REVIEW
TO DAIMLERCHRYSLER CORPORATION

Public notice is hereby given that the Ohio Environmental Protection Agency (EPA) has issued, on July 20, 2004, draft actions of Permits to Install (PTI) application numbers 04-01356, 04-01357, 04-01358 and 04-01359 to DaimlerChrysler, Toledo, Ohio. These draft permits propose to allow the installation of a new automotive production line at the facility located at 4000 Stickney Avenue, Toledo, Ohio, 43612.

This project, if approved, will result in permit allowable emissions for the new sources as defined in the following table. Because this project also includes the shutdown of existing sources, net reductions in criteria pollutants are expected. Decreases in emissions of volatile organic compounds (VOC) and nitrogen oxides (NOx) that offset and exceed the amount of the new source emissions, are required as part of this permit. The proposed allowable criteria pollutant air emission rates for the new sources and the net increase or decrease associated with this project are as follows:

Pollutant	Permit Allowable (Tons/Year)	Shutdown Decreases (Tons/Year)	Project Net Increases (Decreases) (Tons/Year)
VOC	676.35	743.99	(67.64)
NOx	64.48	70.93	(6.45)
Particulate	69.53	*	*
PM10	51.28	*	*
CO	61.26	*	*
SO2	27.22	*	0

* Additional reductions occurred for these pollutants but were not calculated because offsets are not required for these pollutants.

This facility is subject to the applicable provisions of the Non Attainment New Source Review (NNSR) and the Prevention of Significant Deterioration (PSD) regulations as detailed in Ohio Administrative Code (OAC) rules 3745-31-10 through 31-27.

U.S. EPA allows sources to consume no more than the maximum available ambient PSD increments for each PSD pollutant. Proposed new sources also can not cause or significantly contribute to violations of the national ambient air quality standard (NAAQS). Ohio EPA allows PSD sources to consume no more than one half the available increment, with some exceptions. This facility has demonstrated that the NO2 impact from the source is less than one half the available increment. The PM10 impact of this source is above one half of the increment, but the areal extent is localized. This facility has demonstrated that the impact from the new source and other nearby PSD sources is protective of the PSD increments and does not cause or significantly contribute to violations of the NAAQS. Based on these analyses, the project complies with both the federal and state modeling requirements for NO2 and PM10.

A public hearing and information session on the draft air permit is scheduled for August 23, 2004, at the Toledo-Lucas County Public Library, Kent Branch Auditorium, 3101 Collingwood Blvd., Toledo, Ohio. The public information session will commence at 6:00 p.m. and the hearing will follow immediately to accept comments on the draft permit. A presiding officer will be present and may limit oral testimony to ensure that all parties are heard.

All interested persons are entitled to attend or be represented and give written or oral comments on the draft permit at the hearing. Written comments on the draft permit must be received by the close of the business day on Wednesday, August 25, 2004. Comments received after this date will not be considered to be a part of the official record. Written comments may be submitted at the hearing or sent to: Robert Kossow, Toledo Division of Environmental Services, 348 S. Erie Street, Toledo, Ohio, 43602.

B. Environmental Justice (EJ)

Note: By EJ analysis we refer to any procedures applied during the permitting process, regardless of whether they are called EJ, that consider demographics (race, income, nationality, etc.), cumulative effects, (burden, exposure, risk), comparative effects or modifications to the public involvement processes to address unique characteristics of the project.

Y ☒ N ☒ 1. Do you consider EJ issues during the permitting process? If yes, please provide a description of the criteria, guidelines, or screening procedures used to address EJ issues.

Ohio EPA does not have a formal process to evaluate EJ issues. Instead, EJ issues are evaluated on a case-by-case basis when they arise. Our permitting process is designed to require the same level of control in the same air quality area and does not discriminate against any particular group or area. Our standard and review processes are designed to protect public health no matter where the facility is located.

When an EJ issue does arise, we evaluate the situation using any available EJ guidance.

Y ☒ N☐ 2. Regarding section 173(a)(5) of the Clean Air Act, do you conduct an alternatives analysis as part of your nonattainment area permitting process? If yes, please provide a description of the EJ criteria or guidelines used for this analysis.

The alternative analysis typically includes the analysis of the various control scenarios. We have not had an instance where we have had to evaluate different sites. However, we have done risk assessment analysis where population data was used as part of the analysis.

Y ☒ N ☒ 3. Regarding section 165(a)(2) of the Clean Air Act, does your NSR permitting program and public comment

process for PSD regulated pollutants provide for consideration of alternatives?

Alternative control scenarios are considered. Alternative sites are not.

4. How are the demographics of the affected community taken into account in the permitting process?

For most permitting actions, no evaluation of demographics is done because the permit evaluation process results in a permit that is protective of public health where ever the source is located.

For some specific evaluations where heightened public concern exists or where a particularly toxic compound is emitted, a case-by-case risk assessment it done. This assessment takes into account population densities. This evaluation may or may not be associated with a particular permitting action.

5. How are cumulative effects and/or pre-existing burden addressed in the permitting process?

Ohio EPA utilizes modeling screening criteria to force the modeling of sources over the threshold. If expected emissions are high enough, then other significant nearby sources are included in the modeling.

If an risk assessment is done per the answer to the above question, then generalized population data is used to understand and take into account any cumulative or pre-existing burdens.

6. What additional community information and/or demographics (for example – children, the elderly) do you consider important for an EJ analysis?

If a risk assessment is done, then all of the normal demographics associated with a typical risk assessment would be taken into account.

Y ☒ N ☐ 7. Do you allow public involvement during an EJ analysis? If yes,

a. What stakeholder groups do you try to involve?

This is done on a case-by-case basis.

b. At what point in the EJ analysis or permitting process do stakeholders become involved?

For permits, EJ issues are discussed during the permitting process including during any public hearing and during any comment period.

c. To what degree and in what manner do stakeholders or the community influence the permit decision making process?

It is impossible to say what degree stakeholders (permittees, citizens or others) influence the permit decision because each situation is different. However, technical-based comments have the most influence, NIMBY type comments have the least influence.

d. To what degree do you know about how stakeholders or the affected community participated in the permit decision making process?

All stakeholders and affected communities are given the same opportunity to participate as anyone.

e. Describe how you make information available to stakeholders and the affected community. (For example – translation of information, understandable and accessible materials, personal contacts, clearly explained technical information including potential risk, distribution of information, public meetings, etc.)

Ohio EPA provides a wide array of information distribution concerning any permit. These methods include, but are not limited to, the following: newspaper notifications, web site listings, interested party mailing lists, personal phone calls, visits to communities, public information sessions, public hearing

sessions, press releases, and information packet development and distribution. Some methods of distribution of information is required by Ohio law. Other methods are selected depending upon the circumstances of the particular project.

Y ☐ N ☒ 8. In the EJ analysis, do you consider direct and indirect benefits and burdens from the proposed actions? If yes,

We have not done enough of these to fully develop all of the analysis. Each one is done on a case-by-case basis.

a. Describe what benefits you consider in the EJ analysis. (For example – economic, social, cultural, health, environmental, etc.)

b. Describe what burdens you consider in the EJ analysis. (For example – economic, social, cultural, health, environmental, etc.)

Y ☐ N ☒ 9. In the EJ analysis, do you consider comparative and disproportionate impacts? If yes,

We have not done enough of these to fully develop all of the analysis. Each one is done on a case-by-case basis.

a. Describe the criteria or procedures used to determine any potential or actual adverse health or environmental effects or impacts.

We have not done enough of these to fully develop all of the analysis. Each one is done on a case-by-case basis.

b. Describe the criteria or procedures used to determine whether evidence exists to describe these effects or impacts.

We have not done enough of these to fully develop all of the analysis. Each one is done on a case-by-case basis.

c. Describe the criteria or procedures used to determine whether the proposed project complies with all applicable environmental laws.

All PTIs are evaluated extensive by permit writers as part of their review and permit development process. To list all of the procedures here is not possible.

VI. Program Staffing and Training Issues

1. What is the total number of staff dedicated to permitting for your NSR program? Please provide an organizational chart.

About 80 staff (in DOLAA and CO) work on permits. This includes staff that work on NSR permits and staff that work on Title V permits. Staff typically spend some of their time on NSR permits and some of their time on Title V permits.

2. For your NSR program please breakdown the staff into the different job functions (e.g., number of modelers, review engineers, technicians, environmental scientists, clerical, supervisory, enforcement).

This information is not readily available. However, for the 2002 petition audit we compiled the following statistics on staffing.

Position Levels for Ohio in SFY 2002

Section/Office/Agency	***Total Positions***
Administration	***20***
Air Quality Modeling & Planning ***TRI Staff 3 positions*** ***112 (r) Staff 3 positions***	***24****
Field Operations & Permits	***13****

Engineering	***23****
Air Monitoring	***13***
E-Check	***31***
NEDO	***31****
NWDO	***29****
CDO	***22****
SEDO	***19****
SWDO	***4****
Akron LAA	***21****
Canton LAA	***13****
Cincinnati LAA (HAMCO)	***44****
Cleveland LAA	***44****
Dayton LAA (RAPCA)	***37.5****
Lake Cnty LAA	***3.5***
Portsmouth LAA	***8****
Toledo LAA	***13****
Youngstown LAA	***9***
Total	***422***

** Staff at these locations do some Title V and NSR permitting work.*

In the past two years we have had to cut back staff due to cutbacks in state funding. We have lost about 20% of staff due to cutbacks.

3. Please describe your training program for new and existing staff who work on NSR permitting and issues. List any materials you use or training course you try to attend.

Ohio EPA utilizes a number of training programs for new and existing staff. These include:

1. *DAPC Training Committee (DAPC and local air agencies (LAA) staff work together to identify training needs of DAPC and the LAAs. The training committee is comprised of a representative from DAPC Central Office, a district office, and a LAA. The training committee has completed the following:*

   A. *Coordinated training sponsored by either the LAAs or Ohio EPA to bring a training course to Ohio. In August 2001, Ohio EPA hosted "Keeping a Paints and Coatings Facility in Compliance with Air Pollution Control Regulations." In October 1998, Ohio EPA hosted "Advanced Air Pollution Inspector" training.*
   B. *Conducted a survey in November 1999 of all DAPC and LAA employees to identify future training needs.);*

2. *participating on the STAPPA/ALAPCO training committee;*
3. *Ohio EPA internal training courses to LAAs when requested (Ohio EPA's negotiation training was held for LAA staff.);*
4. *US EPA satellite courses (DAPC has a satellite link in a conference room so that staff may readily view US EPA courses. In 2001, courses regarding air toxics, solid waste, inspections for fugitive emission sources, and stack testing were viewed.);*
5. *US EPA training conducted out-of-state on specific technical issues such as the MACT standards, emission inventory, NSR, PSD and monitoring;*
6. *Ohio EPA leadership training (Ohio EPA has created a one-year training program, entitled "Developing Excellent Agency Leaders" (DEAL).*
7. *Personal Development Programs (PDP) (For every position that is created at Ohio EPA, a PDP must be included to identify the training that should occur with that position. This provides the employee and the supervisor with the specific training goals that should be accomplished for that position.)*
8. *Basic NSR training (for new staff) and Advanced NSR training (for more advanced staff.*

9. public hearing training to help staff understand what they need to do during public hearings.
10. Modeling training

Ohio EPA has developed a large number of documents that are used for training including, but not limited to, the following:

1. Basic NSR training manual
2. Advanced NSR training manual
3. NSR Guidance manual (2 volume set)
4. NSR Workshop Manual
5. Various workbooks from U.S. EPA training courses
6. Engineering Guides
7. U.S. EPA documents
8. Misc. memo and guidance memos.

4. Describe any additional training that you believe would be beneficial. Would you like for EPA to provide more NSR training?

We will need training on NSR for PM2.5 once U.S. EPA issues the rules and guidance.

Y ☒ N ☐ 6. Do you provide NSR program training opportunities for the public, including the regulated community? If yes, please describe.

Ohio EPA does not have a formal training program. However, Ohio EPA staff provide one-on-one training to many citizens on a daily basis concerning individual permits and possibilities for public participation. We often hold information sessions prior to public hearings concerning controversial permits where we provide information on the proposed source and the overall NSR program. In addition, Ohio EPA sets up meetings with citizen groups to discuss concerns and issues typically concerning a particular facility. These meetings often are used to help citizens understand how they can participate. Please also refer to the BACT and LAER responses.

VII. General NSR Program Issues

Y ☒ N ☐ 1. Do you implement EPA issued program guidance and policy for NSR? In no, please explain.

Y ☒ N ☐ 2. In general, how do you learn about federal NSR rule changes? Do you use EPA's TTN website at www.epa.gov/ttn to monitor NSR program changes and implementation issues?

Ohio EPA is on the list server for NSR and the federal register so we get a lot of information though those processes. We also rely on our U.S. EPA contacts to get us information and we rely on the various calls with other Region V states (either initiated by Region V or by other organizations) to help keep us up-to-speed with new issues.

3. How do you determine if emissions factors (e.g., AP-42)are acceptable for NSR applicability purposes?

Our policy is to require the use of the best emission factor available. This means that the DO/LAA permit writer must research the factors available and make a judgement as to which factor is best. The determination of which factor is best often requires a lot of judgement. The following list is what Ohio EPA considers "best" to "worse" emission factors:

1. Site specific stack test information from identical emission units
2. Site specific stack test information from similar emissions units
3. Mass balance calculations
4. Manufacture's emission factors for the emissions unit
5. Non site specific stack test information from similar emissions units
6. Miscellaneous reference material emission factors developed typically by industry groups
7. Facility supplied estimates
8. AP-42 type emission factors

As you can see from the above list, Ohio EPA consider AP-42 emission factors to be used only when other, more reliable, emission factors are not available.

4. Please provide any comments, suggestions, or concerns you may have regarding the NSR program.

None at this time.

5. Please provide the number of non-major permits you issued last year, not counting renewals.

We processed 1195 PTIs during 2004. This includes non-majors and majors. We do not keep separate statistics on non-majors.

6. How many PSD permits did you issue last year?

We have not compiled the data for the past two years. Here is the data for 1990-2002. We expect 2003 and 2004 to be similar to 2002.

Permit to Install Program - Types of Permits Issued

			*							**			
	1990	1991	1992	1993	1994	1995	1996	1997	1998	1999	2000	2001	2002
NSPS	117	161	173	238	160	214	175	139	142		152	217	155
PSD	4	2	7	5	3	3	4	4	11	8	9	20	17
NESHAPS	14	9	13	18	62	139	109	262	158		11	24	22
MACT											85	99	89
EMISS OFFSET	0	0	0	0	0	0	0	0	0		0	0	0
TOXIC	31	95	161	395	211	294	260	296	297		270	268	242
SYN MNR	20	35	31	76	77	152	156	137	141		157	204	185
NETTING	20	24	10	27	11	19	15	18	9		14	12	10

** Oct and Dec data missing - value adjusted based on average of remaining months.*

*** Data was not available for 1999 because of a switch to a new tracking system.*

7. How many non attainment NSR permits did you issue last year? Since 1990?

One, the Toledo plant in Chrysler, and see the answer to the above question.

8. For PSD permits what is the average time (months) taken by you to issue the permit, starting from the time the application was determined complete? For non attainment NSR permits?

We currently are processing 90-95% of all PTIs (includes PSD/non attainment NSR/minor) within

180 days. When Ohio EPA requests additional information from the applicant that stops the clock. We do no keep statistics separately for PSD and non attainment NSR.

Y ☒ N ☐ 9. Do you have a formal procedure for establishing past permit violations related to NSR requirements?

Ohio EPA has a formal enforcement policy that we use to govern any enforcement. We have processes in place that detail the steps staff must take to pursue enforcement.

Y ☒ N ☐ 10. Do you have a formal procedure for dealing with "self reported" NSR violations?

Self reported violations also follow the enforcement policy. In addition, permittees can continue to use the 1997 audit bill which allows some self reporting of violations with limited immunity. This bill was extended to 2009. Title V is not eligible for immunity, while NSR violations can get immunity.

Y ☒ N ☐ 11. Do you have formal enforcement procedures for dealing with past violations of NSR requirements, including applicable BACT or LAER requirements of major NSR?

Ohio EPA has a formal enforcement policy that we use to govern any enforcement. We have processes in place that detail the steps staff must take to pursue enforcement.

Y ☒ N ☒ 12. Do you include PM10 condensible emissions in the total amount of PM10 emissions when determining PSD applicability, BACT, PSD increment, and NAAQS?

For smaller emissions units, we often cannot find quality emission estimates that include condensible emissions. In that case, if no testing is expected, then we would not include condensible emissions. We would use our judgement to determine if it is likely that for that emissions unit, condensibles would be significant. If we think the emissions including condensibles would be significant, then we would require testing that included condensibles. If the emissions from the

emissions unit are expected to be significant, then we will try to set the limit based on the inclusion of condensibles and then require testing with condensibles.

Y ☒ N ☒ 13. When PM10 testing is required do you include a permit condition that requires testing and specifies testing methods for PM10 condensibles?"

Ohio EPA matches the allowable limit with the test method used to determine compliance. If the allowable limit for PM10 is based on emission factors that include condensible emissions, then we do include condensible emissions for the compliance method.

VIII. Effective Construction Permits

Do your construction permits:

Y ☒ N ☐ 1. Identify each emissions unit regulated?

Y ☒ N ☐ 2. Establish emissions standards or other operational limits that must be met, including appropriate averaging times for numeric limits?

Y ☒ N ☐ 3. Include specific methods for determining compliance and excess emissions, including reporting, record keeping, monitoring, and testing requirements?

Y ☒ N ☐ 4. Outline procedures necessary to maintain continuous compliance with emission limits?

Y ☒ N ☐ 5. Establish specific, clear, concise, and enforceable permit conditions?

Y ☒ N ☐ 6. Include conditions necessary for a source to avoid otherwise applicable requirements (e.g., keeping a modification “minor”)?