



Early Stakeholder Outreach for Particulate Matter Standards Rules April 18, 2012

Particulate Matter Standards rules in Ohio Administrative Code (OAC) Chapter 3745-17

OAC Chapter 3745-17 establishes requirements for emissions of particulate matter from stationary sources such as fuel burning equipment, storage piles, roadways, and industrial processes. The rules in this chapter are part of Ohio's State Implementation Plan (SIP) to attain and maintain the national ambient air quality standards (NAAQS) for particulate matter as required by the Clean Air Act. Any amendments made to this chapter will be submitted to USEPA as an amendment to Ohio's SIP.

Why are these rules being sent out for Early Stakeholder Outreach?

The first step in the rule-making process is for Ohio EPA to identify that a rule needs to be amended, rescinded, or created. Ohio EPA may also review a rule pursuant to the five year rule review requirements (ORC 119.032) and determine that the rule should be filed with the Joint Committee on Agency Rule Review (JCARR) as 'no change'.

In response to Executive Order 2011-01K, Ohio EPA has added an additional step to ensure stakeholders are brought into the rule process as early as possible. This additional interested party notification and request for information will allow for early feedback before the rule language has been developed by the Agency.

The rules in this chapter are currently under review pursuant to ORC 119.032 (5-yr review) and early stakeholder outreach is being requested to assist Ohio EPA in the review and to identify potential amendments.

What changes are being considered?

Ohio EPA has just begun the review process. Based on comments from the regulated community, Ohio EPA is already aware of several typos and dates that must be corrected for clarification. Ohio EPA is not aware of major modifications to the rules that are necessary at this time.

Who will be regulated by these rules?

The rules in this chapter are applicable statewide and apply to stationary sources which emit particulate matter. These sources include, but are not limited to: fuel burning sources, storage piles, roadways, and miscellaneous industrial processes.

What is the rulemaking schedule?

Ohio EPA plans to propose these rules to the Joint Committee on Agency Rule review no later than February 1, 2013.

What additional information is the Agency seeking?

Ohio EPA wants to hear from interested stakeholders who may be impacted by these rules. General comments and specific factual information are welcome. Ohio EPA is specifically asking for stakeholders to identify the following:

- Do these rules impact your business?
- Do these rules have an adverse impact on your business? If so, please identify the nature of the adverse impact (e.g., license fees, fines, employer time for compliance).
- Are there any alternative rules (or specific provisions within the rule) that the Agency should consider?

What should you consider when preparing comments?

You may find the following suggestions helpful for preparing your comments:

1. Explain your views as clearly as possible.
2. Describe any assumptions that you used.
3. Provide any technical information and/or data you used that support your views.
4. If you estimate potential burden or costs, explain how you arrived at your estimate.
5. Provide specific examples to illustrate your concerns.
6. Offer alternatives.
7. Make sure to submit your comments by the comment period deadline.

How can I provide input on the rules?

Questions and comments on these rules should be sent by **Monday, May 21, 2012** to the following email address: Erica.fetty@epa.state.oh.us or to the address listed below. Persons submitting comments electronically are encouraged to follow-up with a hard copy via regular mail:

Mailing address: Erica Fetty
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 Lazarus Government Center
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 Columbus, Ohio 43216-1049
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How can I get more information?

For more information on Division of Air Pollution Control (DAPC) rules, please visit our website at: <http://www.epa.ohio.gov/dapc/regs/regs.aspx>.