

## P & E minutes November 14, 2006

Permitting & Enforcement Committee Meeting - November 14, 2006

Lazarus Government Center

Ohio EPA

6<sup>th</sup> Floor conference room

**Attendees:** Co-Chairs - Jim Orlemann (CO), Jim Braun (Cleveland)

Minutes - Ed Fasko (NEDO)

- Mike Ahern, Andrew Hall, Jenny Nichols, Cheryl Suttman, (CO), Rick Carleski, (OCAPP), Todd Scarborough, Mike Ringlemann, (CDO), Bud Keim, (Canton), Jeff Canan, Chris Clinefelter, (RAPCA), Don Waltermeyer (NWDO), Sara Harter, (SEDO), Paul Tedtman, (HCDOES), Craig Osborne, (SWDO), Joslyn Summers, (Toledo)

- 1. Enforcement issues** - Jim Orlemann handed out three sets of graphs and tables regarding enforcement and compliance. The resolution of old cases is going to keep the enforcement staff busy for the next six weeks; there are 31 old cases to be resolved by the end of the year. Jim further indicated the goal for the year was 90 enforcement cases resolved for the year. There have been only 30 cases resolved since the end of October. Jim feels we can still meet the goal if we resolve all the 31 remaining old cases, plus the packet of 25 "Shelly-type" cases. One of the graphs showed the problems we are having in meeting the 18 month Statute of Limitations goal for processing an EAR. When asked what we should do when an EAR gets down to Central Office and doesn't get moved, Jim's response was that he should be contacted directly in the matter. The graph that presented compliance rate for High Priority Facilities indicated we are meeting our goal of 95% for emissions violations. When the administrative violations are added in, we reach only 92.4 % Jim feels the division will achieve \$1 million in civil penalties this year.

**Action Item:** DO/LAA's and Central Office will have to work closely to meet the goal of "0" old cases by the end of the year. DO/LAA's and Central Office will both have to work to meet the 18 month goal in the Statute of limitations.

- 2. Title V permits and issuance update** - Mike Ahern indicated there are 205 extended Title V permits; that is, expired but having filed a timely renewal application. There are also 35 expired Title V permits that have submitted late renewal applications or no application at all and are now operating under orders. 744 is the total Title V population. Title V issuance since July was as follows: 15 draft, 9 PPP, 13 PP, and 15 final, most of which were renewals. The Feds have a new national TV tracking system called TOPS to track the issuance and backlog of Title V permits. Central Office will be giving the DO/LAA's lists of their Title V facilities and the modifications/renewals that are outstanding for them. Central Office will need to have the DO/LAA's tell them if the mods will be processed. If the modification type is indicated as "unknown", DO/LAA's will need to indicate what type of modification it will be. A tracking system of issuance is going to be incorporated into STARS2.

A question was raised to Andrew Hall about a companies submitting a separate CAM plan for Title V facilities. Some facilities state their CAM plan was in a PTI and they do not need to resubmit it. If the elements in a CAM plan are in the permit, per the training, it is acceptable, but having a separate document may be better so the CAM plan can be updated without a revised STARS application being filed. There are 13 Title V facilities that have been issued that

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include CAM plans. Andrew is to E-mail the list.

**Action Item:** DO/LAA's to continue working on the TV renewals and be aware of the issues involving the GE decision. CO to provide list of Title V applications and DO/LAA's are to respond. Andrew Hall to E-mail list of permits issued with proper CAM language.

3. **New Source Review** - Mike Hopkins was not at the meeting. Andrew Hall reported there have been no big issues on permits and SB 265. The guidance on BAT is still in the draft stage. It should be finalized soon. Andrew said the guidance will address the issues with OAC 3745-31-02.

There were some comments from a public hearing for an ethanol plant in NWDO. There is a legal problem with timing of the SIP approval and the ORC, resulting in a contradiction for BAT for sources less than 10TPY. Companies should not have an issue with this, and it was suggested the language for conflicting rules based on the Federal acceptance of the rule could be placed in the permit.

Mike Hopkins is looking for volunteers to help develop the guidance on compost facilities permitting. Need about five people from the DO/LAA's. NEDO, CDO, SWDO, and OCAPP agreed to solicit volunteers. Get names to Andrew.

Residential wood burners were discussed and the consensus remains that we will not be permitting them. Local ordinances are encouraged; though some states have passed laws regarding either the banning of these units or some minimum specifications. It was also suggested the USEPA be approached in the monthly call to pass a rule on these units.

Availability of the permit by rule for portable concrete crushers is still an issue regarding the NSPS exemption. Andrew sent information to NEDO on this; Tim Fischer and Joe Loucek sent their work to Mike Hopkins to sign off on. It seems to be an applicability issue in regard to material and its classification. It appears that the PBR is available for these sources; some offices have issued them, but the written rational needs to be finalized as permits are still being requested for these units.

**Action Item:** Volunteers for the compost facilities guidance workgroup should contact Andrew Hall. CO to finalize SB265 guidance. Central Office to review NEDO draft on portable crushers and the PBR and issue determination so we can have statewide consistency.

4. **Permit Issuance and Data Management** - Mike Ahern announced that George Strobel is now handling portable source relocation requests. Time extensions for PTI's is being handled by Elisa Thomas. Sandy Craig is retiring; Toi Harris is being trained to take her position. A new hire has started in the computer automation unit. Fenglu Li will be handling the posting of the P & E minutes to the web. For technical issues in PTI 2K, Arunee is still the contact; Sawn Naber is the contact for lock-out or password issues in the PTI 2K program. — In regard to CETA, Federal AFS data is being updated based on a lot of data sent by OEPA in the past 2 months. The enforcement data is becoming more and more accurate. For CETA lockout,

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contact Mike Van Matre. – Fee data for 2006 is being accumulated; a request to the DO/LAA's will be going out soon.– Erica Engle will be going on maternity leave; she is due in January. The Director's letters are to be posted to the web soon.

5. STARS2 update - Linda Ours said the roll-out date was planned for February 2008. This is tentative, and if the contractors cannot make the date, it will be pushed back to May '08 to not conflict with the fee program due in April. The contractors will know if they will be ready for the February date by September '07.

The screens for STARS2 are in the initial development stage. Linda is looking for volunteers from the field offices for input on the development of the screen layout. Respond directly to Linda. The resolution for STARS2 will be 1024x 1270. Currently we operate at 640x480. It is hoped the only scrolling place necessary will be the data grids. Roll-out for Microsoft Word for DAPC will be the same as the STARS2 rollout. DAPC will redistribute old licenses of Word from other divisions as the new Word 2007 Suite is received.

The Workflow concept will be followed for the assignment of tasks. 20 roles have been identified to keep the work moving. The steps will be assigned at the DO/LAA by Central Office to the person the particular field office specifies. Those at the field office with administrative rights will be able to reassign the task in order to adjust to reassignments, workload, absence. There will be a data maintenance person at each office who will be able to update facility information such as contact person, address, phone #, etc. This will eliminate the need to have Columbus make all these changes. Also, in STARS2 there will be the capability for a graphic view of the facility and its operations.

The rollout day has also been referred to as the cutover day. STARS1 will be turned off, the data will be migrated, and STARS 2 will be turned on. Training, as well as testing, will be conducted before this occurs. The training for staff and the regulated community should occur in the second half of '07.

The STARS2 system is web-based, but the info to the facility will not be integrated into our E-mail system. All facilities will be in STARS2, but only High Priority Facilities (HPF, Title V and Synthetic minor) will be required to report Fee Emissions Reports and applications in electronic format. All facilities will be invoiced and issued permits through snail mail and/or posted on the public web page and will receive notification of these actions in STARS 2 should they login and look up their account. The facilities in the STARS2 system will also be able to submit reports (deviations, fees, usage) electronically in the system or through an attach function. Regarding the work-flow assignments, (could be one person, group, whatever works for that particular office) Adam Ward or Glen Greenwood may be contacting the field offices.

Mike Ahern handed out the proposed Title V application for the new system. This is the second draft and it is a fictional facility; the rule citations may not be right. He needs comments on the layout and flow of the application by the Wednesday before Thanksgiving (11/22) so he can present them to the PAG. Some of the ideas in the application are as follows: A better description of the facility and the operations will be required and a graphic display of the

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operations will be available at the facility level. On the Emissions Unit level, the PTE will be repeated for each EU. Section 3 will identify the primary purpose of the Title V permit, listing the applicable requirements. It was suggested that Section 3 may be mutated into the Statement of Basis. If the compliance status is no, an explanation will be needed, but there is no room for a narrative. An attachment would be needed.

Mike also handed out the the proposed changes for Title V annual certification document. This was developed as a result of the Title V task force and will be a transition document till the electronic method used in STARS II comes on line. The approach has been changed; rather than ID all terms, only those where a deviation or intermittent compliance occurred need be identified. By signing the form, the responsible official is made aware that he is certifying compliance for the terms not specifically identified, and acknowledging the intermittent compliance of the terms which are listed. A discussion for about a half hour ensued on this form; the issue of blanket approval of compliance without identifying all the terms was voiced as a concern since it would be less likely for the company to read and understand their entire permit. On the other side, the purpose of the task force was to abbreviate the form to highlight deviations that might otherwise get lost in a comprehensive certification document that lists all terms. Issues and concerns are to be provided to Mike Ahern by the end of the month.

**Action Item:** Comments by the DO/LAA's on the Application are due to Mike Ahern by 11/22. Comments on the Title V certification are due to Mike by 11/30. Volunteers for the screen layout for STARS II are to contact Linda Ours. Central Office is to contact the field offices regarding the assignment of roles in the workflow of STARS2.

6. **Terms and conditions and Policy distribution -**

Cheryl Suttman and the Terms crew have been busy. She handed out a folder with a lot of the recent activities. Jenny Nichols E-mailed the updates to the listserve. Some of the highlights - H2S contingency plan for landfills  
HOV plan for landfills. - USEPA says we do not have the authority to handle this  
Aluminum dross in landfills - odor issue - Contact Bud Keim if you have a landfill with this issue  
Terms for tub grinders - Comments to Cheryl by next meeting.  
Catalytic Incinerator terms; corrections to be made based on GE decision.  
Non- Appendix A terms Cheryl to E-mail these.  
Subpart N, platers, has been corrected  
Asphalt terms for used oil 50 Ppm issue  
Coke plant terms  
Flare terms  
Haz. Waste combustor terms waiting on issuance of Von Roll PTI.

**Action Item:** If you are not on the listserve, sign-up!! [Majordomo@lists.epa.state.oh.us](mailto:Majordomo@lists.epa.state.oh.us)  
Contact Bud Keim if you have a landfill with odors from aluminum dross. Send comments on tub grinders tems to Cheryl.

7. **Engineering Guide update -**

#5 - VOC exemption, fixed tanks - Akron not at meeting - Jim O. to finalize

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- #6 - PTI for Coal to oil conversion - Comments from Central Office to be sent to Cleveland
- #7 - Inclusion of weight of water in PWR - NWDO - working
- #9 - PTI/PTO Determinations for grain dryers - NWDO - working
- #10 - Stone processing - Toledo - signed 11/13
- #11 - Table I of 17-11 - No comments received - Cleveland will forward to Jim O. to finalize
- #12 - GDF guidance - Comments to Fasko by 11/30/06
- #13,14,15 - No changes - Jim Orlemann will post a review date on the guide
- # 16 - Conditions for requiring additional source compliance tests - NWDO - in progress
- #17 - Boiler operational rate for compliance tests - RAPCA - signed 11/13 -
- #18 - SO2 compliance determination for boilers - Toledo - No changes - sent to Jim Orlemann
- #19 - Coke plants - PM rule applicability -HAMCO - Comments to Paul Tedtman by 1/9/07
- #20 - VE limits, determination for stack sources - Akron - No progress
- #23 - Significant figures for TSP emission limitations - Akron - No progress
- #44 - Portable Plants - Mike Hopkins and Central Office to respond to NEDO's questions
- # 53 - Open Burning Standards - Central Office -No progress
- #74 - Classification of PM - Comments to Andrew Hall by 11/30/06

8. **CETA update** - No update.

9. **Stack Testing** - No update

10. **New items and parking lot** - No update

The DAPC Web Applications page is accessed by Ohio EPA Central Office and District Offices through:<http://dapcnet/>

LAA's who are not on the DAPC intranet need to use the following link:

<http://dapcnet.epa.state.oh.us/>

**Next meeting is January 9, 2007**

***Happy Holidays to all — Give the Turkey his day!!!!***