



State of Ohio Environmental Protection Agency

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11/3/05

Mr. Thomas V. Skinner
Regional Administrator
U.S. EPA, Region V
77 West Jackson Blvd.
Chicago, Illinois 60604

Re: Transfer of Ohio E-Check Program to a Contingency in Dayton and Cincinnati

Dear Mr. Skinner:

I am writing to submit rules being proposed as partial replacements for the automobile inspection and maintenance program (E-Check) in the Cincinnati and Dayton one-hour ozone maintenance areas. The contract authority to operate the E-Check program will end on December 31, 2005. In order to transfer this program from the active maintenance plan to a contingency plan, alternative emission reduction programs are being adopted to replace the benefits associated with the E-Check program in the currently approved one-hour maintenance plan.

The emission reductions associated with the proposed revisions to OAC Chapters 3745-21 and 3745-72 are sufficient to replace the VOC and NOx benefit of the E-Check program in both the Cincinnati and Dayton maintenance areas. These rule revisions require a lower Reid vapor pressure (RVP) gasoline in these two maintenance areas as well as a reduction in emissions from cold cleaner degreasers and the use of high volume low pressure paint applications. Ohio EPA is also adopting new statewide requirements for portable fuel containers at this time.

As a requirement to include 7.8 RVP gasoline as a component of this rulemaking, Ohio is requesting a preemption waiver, consistent with CAA Section 211 (c)(4)(C). Alternative control options have been evaluated which are either less cost effective or can not be implemented in a manner consistent with requirements in the anti-backsliding provisions of the eight-hour ozone implementation rule. Ohio EPA, as well as other states in the Midwest Regional Planning Organization, have been working with representatives from the petroleum industry to assure that a reasonable combination of cleaner fuels can be used to address this effort as well as be an integral part of our region's efforts to attain the eight-hour ozone standard.

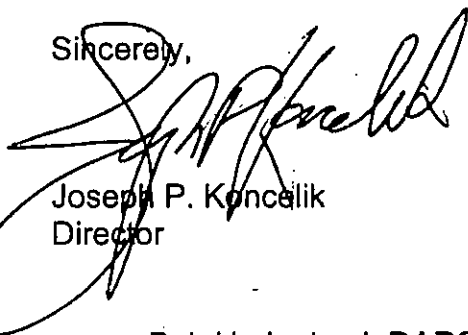
Bob Taft, Governor
Bruce Johnson, Lieutenant Governor
Joseph P. Koncelik, Director

In both the Dayton and Cincinnati areas, further VOC and/or NOx reductions have been or will be provided to assure progress towards attaining the fine particulate standard and offset the loss of reductions in particulate precursors attributable to the E-Check program. Nitrates and organic carbon are both significant components of the overall fine particulate burden in urban areas. While the specific requirements for this request have been met, Ohio EPA will identify additional emission reductions which will be contemporaneous to the loss of the E-Check program and will be forwarding this information as the total reductions are finalized and made permanent.

This package is being submitted at this time to allow the U.S. EPA to begin review and processing of the proposed rules and calculated emission reductions and begin rulemaking on a parallel track so that these rules can be approved as part of the SIP by the time the E-Check program ceases in these two areas. The rules which Ohio EPA is adopting can be implemented by the 2006 ozone season, which will prevent backsliding in our efforts to attain the eight-hour ozone standard in these areas. In addition, the regional NOx reductions should also prevent interference with our attempts to attain the PM2.5 standard in these areas as well.

We appreciate your assistance in addressing the loss of the E-Check program in these two areas and in moving forward with the review and approval of these requested revisions to the maintenance plans. If you have any questions, please feel free to contact Bill Spires of the Division of Air Pollution Control at 614-644-3618.

Sincerely,



Joseph P. Koncalik
Director

cc: Bob Hodanbosi, DAPC
Jim Orlemann, DAPC
Lee Burkleca, DAPC
Alan Harness, DAPC
Glenn Luksik, DAPC
William Nichols, DAPC

Attachments

Public Notice(s) for proposed revisions to OAC 3745-21 and OAC 3745-72

Proposed Revisions to OAC Chapter 3745-21

Proposed Revisions to OAC Chapter 3745-72

Summary of E-Check Replacement Measures and Request for Section 211(c)(4)(C) Preemption Waiver (with attachments)

MOBILE6 model input and output files for the Cincinnati maintenance area

MOBILE6 model input and output files for the Dayton maintenance area