

January 1997

---

## Becoming Involved in Ohio EPA's Air Permitting Process

---

**Q. Why should I get involved in the permitting process?**

**A.** The best way to have an effect is to get involved. Public involvement is a high priority at Ohio EPA and numerous efforts are made to involve citizens in the decision-making process. These efforts give interested citizens the opportunity to learn about Ohio EPA's permitting process and the technical requirements that must be met, and to voice their concerns.

Ohio EPA encourages citizens—whether supporting or opposing the proposal—to get involved. Citizens and Ohio EPA benefit from public involvement. In many instances, citizens have played a very important role by providing information which proved to be valuable in the decision-making process.

**Q. At what point in the review process should I become involved?**

**A.** Although public involvement is encouraged in all areas of environmental protection, there are several points at which citizen input is especially valuable.

Public hearings allow citizens to become directly involved in the permitting process. This occurs during a 30-day written comment period after a draft permit has been issued. A final decision will not be made until all comments have been reviewed and considered. Ohio EPA also conducts public information sessions to allow citizens to ask questions regarding the draft permit.

**Q. Will my comments matter?**

**A.** Yes. If your comments are relevant to Ohio EPA's technical review of the permit application, then your

comments can make a difference. Therefore, it is important for you to learn about the technical criteria on which Ohio EPA bases its final decision.

Many people think the director of Ohio EPA has unlimited ability to address all public concerns relating to a permit. Some concerns may be regulated by other state, federal or local agencies. Ohio EPA attempts to respond to citizen concerns in areas the Agency regulates and refer other concerns to the appropriate agencies. Your participation in the decision-making process will be most effective if you know what the Agency can and cannot consider.

**Q. But I'm not a technical expert. How can I educate myself?**

**A.** The Agency realizes many citizens who attend public hearings are not engineers or scientists. Information will be provided so you will have the opportunity to

learn about the review process and about the technical criteria on which Ohio EPA bases its decision.

Staff from Ohio EPA's air division, district offices, local air pollution control agencies, and the Public Interest Center are available to assist you. Please call the Public Interest Center throughout the review process whenever you have questions or would like additional information (phone numbers are listed in this fact sheet).

**Q. Does Ohio EPA approve a facility's location?**

**A.** No. Ohio EPA does not have the authority to determine a facility's location. Site selection is determined by the company, local authorities, and zoning ordinances. If a company is able to meet all state and federal air regulations at a specific site, Ohio EPA's Division of Air Pollution Control by law must grant an air permit.

## Becoming Involved in Ohio EPA's Air Permitting Process

### **Q. Does Ohio EPA do background checks on all permit applicants?**

**A.** No, not on all applicants. House Bill 592 (passed in 1988) supplemented Ohio Administrative Code (OAC), which regulates solid and hazardous waste facilities. This bill requires background checks for those types of permits only. The Division of Air Pollution Control has no legal authority to conduct background checks or to consider such information in issuing or denying air permits.

### **Q. What does the Division of Air Pollution Control consider when recommending issuance or denial of a permit?**

**A.** The overriding consideration in issuing or denying any air permit is the effect the new source will have on air quality. Protection of air quality and the health of surrounding residents is the Division of Air Pollution

Control's primary goal. The air division bases its recommendation to Ohio EPA's director on whether the proposed source meets all federal and state requirements and if it employs the best available technology (BAT).

BAT is a case-by-case determination of an emission limit and/or control technique which by taking into account environmental, energy, and economic considerations, represents the maximum emission control achievable by the source. This level of control is necessary to ensure that the impact of the new source on the outdoor air is minimized.

In no instance shall the emission level or control measure specified in the BAT determination be less stringent than that allowed under any state or federal rules.

### **Q. How will I be kept informed of future developments?**

**A.** The Agency will do its best to keep your local media updated on future developments. The media will be notified promptly when a decision is made, or a public comment

period or public hearing is scheduled. Ohio EPA also updates citizens and organized citizens' groups who make their interest known.

### **Q. Is there one place at Ohio EPA I can contact to get assistance?**

**A.** Yes. The Public Interest Center's objective is to provide information to all interested parties—citizens, the media and permit applicants.

### **Q. How does a company obtain permission to operate after the source is constructed?**

**A.** The facility builds the source in accordance with the permit-to-install (PTI). The PTI allows 90 days for the source to operate and test the emissions to demonstrate compliance with the air pollution standards. If necessary, an additional 90 days of operation can be granted through a

conditional permit-to-operate (PTO).

If a facility demonstrates compliance with the state and federal air pollution control standards and meets the terms of the PTI, a PTO is granted.

For further information, please contact:

Ohio EPA  
Division of Air Pollution Control  
P.O. Box 1049  
Columbus, Ohio  
43216-1049  
(614) 644-2270

Ohio EPA  
Public Interest Center  
P.O. Box 1049  
Columbus, Ohio  
43216-1049  
(614) 644-2160