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 Planning For Greater Cleveland  
 Serving Cuyahoga, Geauga, Lake, Lorain & Medina Counties

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**AIR QUALITY ADVISORY COMMITTEE**

**November 16, 2011**  
**9:30 A.M. - 11:00 A.M.**

**AGENDA**

1. Introductions / Public Comment
2. Approval of August 3, 2011, meeting minutes (action)
3. End of Ozone Season Report – Vijay Nemalapuri (discussion)
4. Ozone NAAQS & Non-attainment Update – Jennifer Hunter, OEPA; Dial-in Number: 218-936-4141; Participant Access Code: 9392553; 10:00AM (discussion)
5. Maneuvering through the Innerbelt Project- Melinda Bartizal, ODOT District 12 (discussion)
6. Unified Air Quality Post-processor Presentation – Vijay Nemalapuri (discussion)
7. Old business
8. New business
9. Adjourn

**Next Meetings:**

**Water Quality Subcommittee:**

November 16, 2011 – 1:30 to 3:00 PM NOACA Offices

**Air Quality Advisory Subcommittee:**

February 15, 2012 -- 9:30 to 11:00 AM NOACA Offices

**Water Quality Subcommittee:**

February 15, 2012 -- 1:30 to 3:00 PM NOACA Offices

Robert G. Blomquist, Mayor  
 City of Olmsted Falls  
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 City of Cleveland  
 Robert N. Brown, Director of Planning  
 City of Cleveland  
 Kenneth P. Carney, Sr., P.E., P.S.  
 Lorain County Engineer  
 William R. Cervenik, Mayor  
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 City of Lyndhurst  
 Dean E. DePiero, Mayor  
 City of Parma  
 George M. Dixon, Board President  
 Greater Cleveland Regional Transit Authority  
 William D. Friedman, President & CEO  
 Cleveland Cuyahoga County Port Authority  
 Charles M. Germana, Councilman  
 Cuyahoga County Council  
 G. David Gillock, Mayor  
 City of North Ridgeville  
 William M. Grace, Mayor  
 City of Elyria  
 Tracy A. Jemison, President  
 Geauga County Board of Commissioners  
 Edward Jerse, Director of Regional Collaboration  
 Cuyahoga County  
 Martin J. Keane, Councilman  
 City of Cleveland  
 Lori A. Kokoski, Commissioner  
 Lorain County Board of Commissioners  
 Anthony M. Krasienko, Mayor  
 City of Lorain  
 Earl M. Leiken, Mayor  
 City of Shaker Heights  
 James M. Lukas, City Manager/Safety Director  
 City of Brunswick  
 Mamie J. Mitchell, Councilwoman  
 City of Cleveland  
 Myron S. Pakush, Deputy Director  
 Ohio DOT-District 12  
 Michael S. Prociuk, Mayor  
 Village of Brooklyn Heights  
 Dale F. Rundle, Trustee  
 Lorain County Township Association  
 Kathleen Scheutzow, Trustee  
 Brunswick Hills Township  
 Raymond E. Sines, President  
 Lake County Board of Commissioners  
 Leonard A. Spremulli, Mayor  
 Bentleyville Village  
 Robert A. Stefanik, Mayor  
 City of North Royalton  
 Michael P. Summers, Mayor  
 City of Lakewood  
 Deborah L. Sutherland, Mayor  
 City of Bay Village  
 Bonita G. Teeuwen, P.E., Public Works Director  
 Cuyahoga County  
 Daniel P. Troy, Commissioner  
 Lake County Board of Commissioners  
 Mark A. Tyler, Mayor  
 City of Kirtland  
 Jomarie Wasik, Director of Capital Projects  
 City of Cleveland  
 William S. Young, Commissioner  
 Geauga County Board of Commissioners

**Ex officio Member:**  
 Kurt Prinic, District Chief  
 Northeast District Office  
 Ohio Environmental Protection Agency

• **Executive Committee Members**

Howard R. Maier, FAICP  
 Executive Director

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**NOACA AIR QUALITY SUBCOMMITTEE - 2011**

<b>ATTENDANCE RECORD 2011: MEMBERS &amp; ALTERNATES</b>	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov
<b>Terry Allan</b> , Health Depart (Cuy Co) (Stephanie McConoughey, Alternate)		A			A			A			
<b>Hon. Robert Afuldish</b> , Lake County Commissioner		M			M						
<b>Hon. Betty Blair</b> , Lorain Co Commissioner (Alternate)											
<b>Joe Calabrese</b> , GCRTA (Danielle Willis, Alternate)		A									
<b>Myron Pakush</b> , ODOT District 12 (Melinda Bartizal, Alternate)		A			A			A			
Cuyahoga County (Marionette Richardson-Scott, Alternate)					A						
<b>Frank Kellogg</b> , Health Depart (Lake Co) (Nancy Niehus & Bert Mechenbier, Alternates)					A			A			
<b>Mark Conti</b> , USEPA Westlake (Cher Salley, Alternate)											
<b>Frank Markunas</b> , ARAQMD (Sam Rubens, Alternate)		A			A			A			
<b>Mike Krzywicki</b> , Cleveland Div of Air Quality (Marv Rogers, Alternate)		A						A			
<b>Bill Skowronski</b> , Ohio EPA NEDO (Ed Fasko & Bob Princic, Misty Koletich Alternates)		A			A			A			
<b>INTERESTED OBSERVERS</b>											
John McGrail, Cleveland DAQ											
Bob Downing, Akron Beacon Journal		*			*			*			
Pete Manousos, FirstEnergy Corp.											
<b>NOACA STAFF</b>											
Howard Maier											
Jonathan Giblin		*									
Bill Davis		*			*						
Amy Wainright		*			*			*			
Michelle Johnson		*			*			*			
Vijay Nemalapuri		*			*			*			
Brenda Walker		*			*			*			
Amy Stacy					*			*			

M = Member Present

A = Alternate Present

\* = Interested Observers (non-voting)

**Environmental Advisory Committee  
Air Quality Subcommittee  
Wednesday, August 3, 2011**

Present: See attached sign-in sheet.

**Agenda Item 1: Introductions/Public Comment**

ODOT District 12 representative Melinda Bartizal convened the meeting at 9:35 a.m., in the absence of Commissioner Aufuldish. She called for attendees to introduce themselves.

**Agenda Item 2: Approval of May 18, 2011, Meeting Minutes**

Ms. Bartizal called for comments or corrections to the May 18, 2011, meeting minutes. There being no comments or corrections, Mr. Marv Rogers moved for approval, seconded by Mr. Bert Mechenbier, and they were approved unanimously.

**Agenda Item 5: Ozone NAAQS Update**

Ms. Amy Wainright, NOACA Staff, announced that the United States Environmental Protection Agency (USEPA) did not announce a new ozone standard as expected. USEPA Administrator Lisa Jackson had been court-ordered to announce the new standard by July 29th, and will next appear in federal court on August 12th. A new date for issuance has not yet been determined, and further delays are expected due to litigation.

**Agenda Item 3: E-Check Update on Decentralized Testing**

Mr. Mike Riggleman, Mr. Dave Alspaugh and Ms. Heidi Griesmer (all with the Ohio EPA) joined the Air Quality Subcommittee meeting via conference call to discuss the bill passed in June by the Ohio General Assembly to decentralize the motor vehicle Inspection and Maintenance (I&M) Program, known in Ohio as E-Check. E-Check currently is required only in Northeast Ohio, but this may change depending on the new ozone standard. Senator Tim Grendell and Representative Ron Young sponsored the amendment to the budget bill, which would allow local mechanics to perform the E-Check test. The current centralized E-Check program, operated by Envirotest, provides 23 stations in seven counties. The stations use both on-board diagnostic (OBD) testing (model years 1996 and newer) and stationary dynamometer testing for cars older than 1996. An idle test is also available for diesel cars and light-duty trucks. Any decentralized system would have to provide the same number of air pollution credits (tonnages of air pollution reductions) that the current E-Check Program produces, because the Clean Air Act does not allow any back-sliding by a region previously in nonattainment.

An Ohio EPA Request for Proposals (RFP) will be issued in a couple of months for contractors to bid on designing and operating the new program, to be implemented in June 2012. At least six companies that specialize in these types of programs are expected to respond. The contractor will decide how many stations are needed, provide equipment and maintenance to those stations, and gather the data. The contractors might purchase the existing 23 stations from Envirotest Systems Corp., but it is unlikely they will do so. The contractor will be monitored by the Ohio EPA.

Ohio will be following 33 other states that have already incorporated decentralized testing. Inspections will remain free to motorists.

Air Quality Subcommittee members discussed some of the potential issues with the new decentralized program. Fraud and fewer emission reduction credits are some of the concerns. There is also apprehension that it could be more costly in the long run.

#### **Agenda Item 4: Air Quality Programs Update & 2011 Commuter Challenge**

Mr. Vijay Nemapuri, NOACA Staff, presented the *2011 Ozone Mid-season Report for Northeast Ohio*. Mr. Nemapuri reported that there have been 11 ozone exceedance days (76 parts per billion or greater) so far this season: four in June and seven in July. He stated that NOACA staff and the Northeast Ohio Air Quality Forecasting Team were successful in issuing eight Advisories to match. Mr. Nemapuri reported that the number of ozone exceedance days this year is normal, and ozone concentrations are decreasing, as stated in the *2010 Air Quality Trends Report*. Mr. Nemapuri displayed the three-year rolling averages for each county, comparing them with ozone averages from prior years. He stated that there have been problems with weather changes, but the NOACA model is doing well. Ms. Wainright inquired about PM<sub>2.5</sub> exceedances. Mr. Nemapuri stated that there have been two PM<sub>2.5</sub> exceedance days, June 1 and June 2; and correct Advisories were issued for both days. Further data on PM<sub>2.5</sub> will not be available until later in the year.

Ms. Wainright mentioned that some members were having a difficult time receiving Advisories through Constant Contact, and she committed to finding a solution.

Ms. Brenda Walker updated the Air Quality Subcommittee on Commuter Challenge. She described Commuter Challenge as a friendly competition in Northeast Ohio that encourages individuals and organizations to use alternative modes of transportation (walking, bike riding, carpooling, etc.) from July 16 to July 30. She reported that 1,855 people participated in the challenge this year, including employees of Keybank, Hyland Software, and Javitch, Block & Rathbone, which were the workplaces with the highest number of participants. She stated that organizations with the highest percentage of employee participation will receive a certificate, and a prize drawing will be held at NOACA for the winners of prizes on August 5<sup>th</sup>.

Ms Walker distributed results from a Transportation Survey that was conducted the last two weeks of July. She reported that bus passes were distributed to people who participated in the survey, and the exchange proved to be very successful. Ms. Walker noted that the survey results would be distributed at the next Board meeting.

#### **Agenda Item 6: Air Pollution & Health**

Ms. Martha Halko, MS, RD, LD with the Cuyahoga County Board of Health gave a presentation titled "*Place Matters.*" Ms. Halko reported that where people work, live, learn and play impacts health. She stated that people who live in low-income areas are more overweight, less physically active, and have lower life expectancy than the general population. She informed members that research indicates that much of the disparity is related to social and environmental issues. Ms. Halko displayed maps illustrating patterns of urban core and health disparities. She also stated

that long-term socio-ecological impacts such as housing, long commutes, and crime can have a negative long-term physical effect on the body.

Ms. Halko discussed how local, state and federal policies have caused structural problems that impact urban community health, but new policies can be created to address inequities such as affordable housing, mass transit, and improved public school funding.

Ms. Halko stated that the Cuyahoga County Place Matters Team is currently establishing partnerships and building a movement to improve health outcomes and address health inequities through “place-based” strategies. She informed members that the purpose is to give urban communities more choices and provide equal access to economic, social and environmental resources. They have been working with NOACA’s Transportation for Livable Communities Initiative (TLCI) Program on performing Health Impact Assessments (HIAs).

Ms. Halko agreed to help promote NOACA’s anti-idling campaign during some of her future meetings.

**Agenda Item 7: Old Business**

No old business was discussed.

**Agenda Item 9: New Business**

Mr. Sam Rubens informed the Air Quality Subcommittee that a conference call was scheduled during afternoon from 3:45-4:45 p.m. with the National Association of Clean Air Agencies to discuss the conference to be held locally October 1-5, 2011.

Ms. Wainright stated that President Obama announced a 54.5 mpg fuel efficiency standard for cars and light-duty trucks by model year 2025.

The next EAC Air Quality Subcommittee meeting is scheduled for November 16, 2011, from 9:30-11:00 a.m. at the NOACA offices.

There being no further business, Ms. Bartizal adjourned the meeting at 11:30 a.m.

Amy Stacy, NOACA, Recorder

## 2011 Ozone & PM<sub>2.5</sub> End of Season Report for Northeast Ohio

Ozone Data through October 31, 2011  
 PM<sub>2.5</sub> Data through September 30, 2011  
 Data Courtesy: Gary Engler, OEPA

### Ozone

8-hour Ozone Exceedance Days	Air Quality Advisory	Number of monitors recording exceedance	Highest Ozone Value (ppb)
June 4, 2011	-	4	86
June 6, 2011	-	1	76
June 8, 2011	Yes	5	87
June 30, 2011	-	1	77
July 1, 2011	Yes	5	85
July 6, 2011	Yes	6	90
July 10, 2011	Yes	2	78
July 12, 2011	Yes	2	78
July 20, 2011	Yes	4	88
July 21, 2011	Yes	1	78
July 22, 2011	Yes	1	79
September 1, 2011	-	1	79
September 2, 2011	Yes	2	80
September 3, 2011	Yes	3	77

### Fine Particles (PM<sub>2.5</sub>)

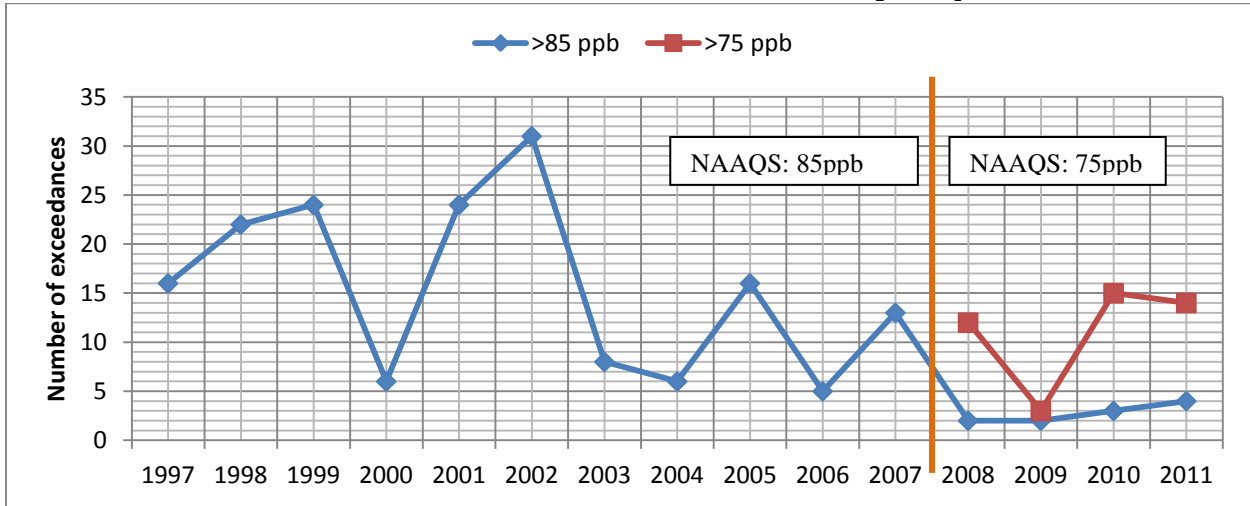
24-hr PM <sub>2.5</sub> Exceedance Days*	Air Quality Advisory	Number of monitors recording exceedance	Highest PM <sub>2.5</sub> Value (µg/m <sup>3</sup> )
January 6, 2011	-	1	38
May 31, 2011	Yes	1	36
June 12, 2011	-	5	39
July 3, 2011	Yes	1	41
July 4, 2011	Yes	5	37
July 17, 2011	Yes	6	38
July 18, 2011	-	2	39
July 20, 2011	Yes	2	36
July 28, 2011	Yes	4	36
August 6, 2011	-	1	39

\*Note: Data from AQS system may change.

### Number of Exceedances by Month

Month	Ozone Exceedances	PM <sub>2.5</sub> Exceedances
January	-	1
April	-	-
May	-	1
June	4	1
July	7	6
August	-	1
September	3	-

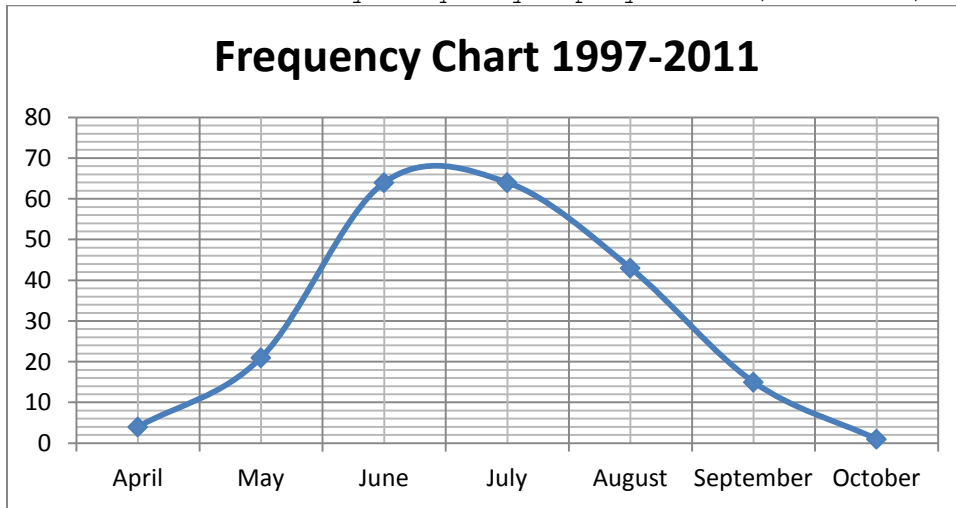
Historical 8-hour Ozone Exceedance Days Map



Historical observations suggest that number of ozone exceedance days can be highly variable with as high as 31 exceedance days in 2002 and as low as 3 exceedance days in 2009. In general, ozone concentrations have decreased in the long term as observed in 2010 Air Quality Trends Report.

Statistical Analysis:

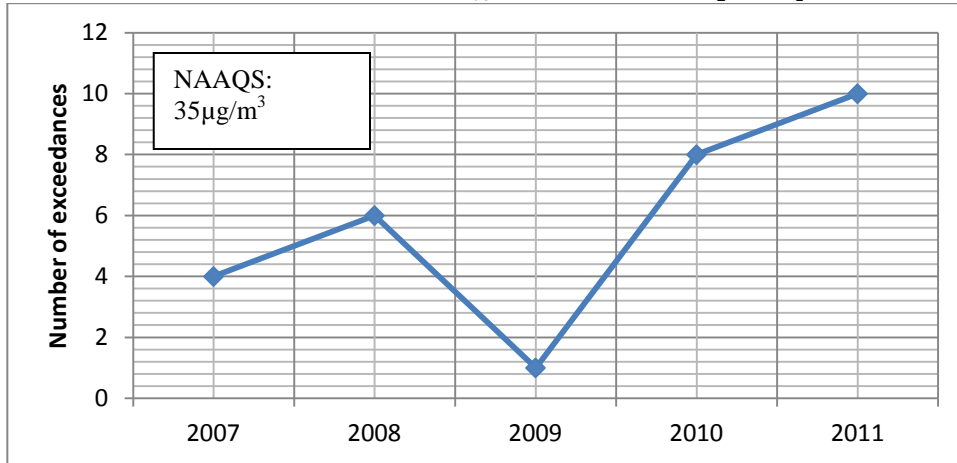
Ozone Exceedance Day Frequency Map by Month (1997-2011)



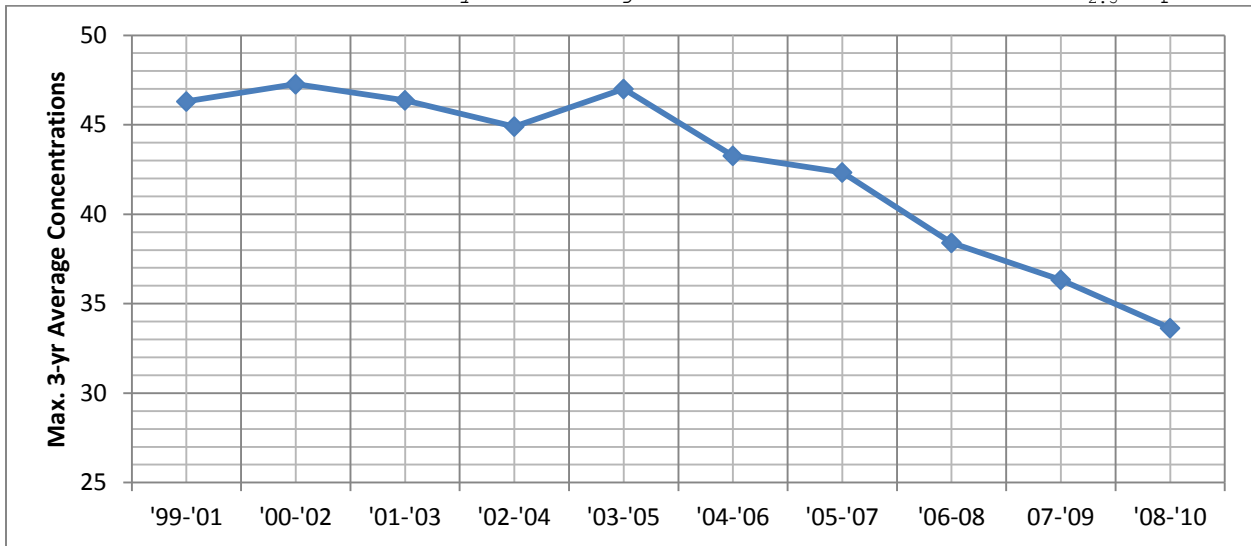
NAAQS: 85ppb		NAAQS: 75ppb	
1997-2007 Exceedances		2008-2010 Exceedances	
Mean:	15.54	Mean:	10
Median:	16	Median:	12
Mode:	16		
Standard Deviation:	8.84	Standard Deviation:	6.24
		2011	
		14 Exceedance Days	

The number of ozone exceedance days in 2011 are within the historical deviations from mean.

Historical 24-hr PM<sub>2.5</sub> Exceedance Days Map



Historical Maximum of 3-year Average of 98<sup>th</sup> Percentile 24-hr PM<sub>2.5</sub> Map



While the number of violation days have increased in recent past, the maximum 3-year average concentrations have been generally decreasing. Considering the current trends, the 3-year averages may slightly increase for 2010-2013 and 2011-2014.

The number of PM<sub>2.5</sub> exceedance days in 2011 are higher than violation days in recent history. However, looking at distribution of these violations, only 1 violation day was reported in Cuyahoga and all other violation days are reported in Summit. This trend, which was first noticed in 2010 and continued through 2011 makes Summit county a prospective county of interest to study localized pollutants.

NOACA Air Quality Forecast Verification

Parameter	Value	Interpretation
Accuracy (A)	95.07	% of total forecasts correct.
Bias (B)	0.96	Closer to 1 is best, <1 indicates under predicting & vice-versa.
False Alarm Rate (FAR)	31.82	% of forecasts for high events that did not materialize.
Critical Success Index (CSI)	50.00	% of exceedance events correctly predicted
Probability of Detection (POD)	65.22	Probability of detecting exceedance events.

**Appendix**

Ozone Three Year Averages  
Data through October 16, 2011

The monitor with the highest average in the county was used for each three year period. The concentrations are the truncated values (i.e. 75.7 ppb is listed as 75 not 76) in accordance with the current U.S. EPA rounding/truncating regulations for the ozone NAAQS.

	2009-2011	2008-2010	2007-2009	2006-2008
Ashtabula	78	77	80	84
Cuyahoga	75	75	77	79
Geauga	73	77	72	73
Lake	77	76	75	78
Lorain	69	70	72	74
Medina	68	70	70	72
Portage	67	67	72	74
Summit	74	75	80	82

Ozone Exceedances

The April and May data (except Athens Co.) have been corrected to what is in the AQS database, June (except RAPCA sites), and July data have not yet been corrected to what is in AQS.

Exceedances of the 1-Hour standard (0.125 ppm or greater):

None

Exceedances of the 8-Hour standard (76 ppb or greater):

Date	Site	County	Value (ppb)
------	------	--------	-------------

4 June	39-035-0034	Cuyahoga	86
Saturday	39-085-0003	Lake	84
	39-093-0018	Lorain	80
	39-055-0004	Geauga	76
6 June			
Monday	39-153-0020	Summit	76
8 June			
Wednesday	39-007-1001	Ashtabula	87
	39-153-0020	Summit	81
	39-035-0034	Cuyahoga	81
	39-085-0003	Lake	81
	39-103-0004	Medina	76
30 June			
Thursday	39-153-0020	Summit	77
1 July			
Friday	39-153-0020	Summit	85
	39-035-0064	Cuyahoga	82
	39-093-0018	Lorain	81
	39-103-0004	Medina	80
	39-133-1001	Portage	77
	39-035-0034	Cuyahoga	76
6 July			
Wednesday	39-085-0003	Lake	90
	39-007-1001	Ashtabula	85
	39-035-5002	Cuyahoga	80
	39-055-0004	Geauga	79
	39-093-0018	Lorain	76
	39-153-0020	Summit	76
10 July			
Sunday	39-035-0034	Cuyahoga	78
	39-085-0003	Lake	76
12 July			
Tuesday	39-085-0003	Lake	78
	39-007-1001	Ashtabula	77
20 July			
Wednesday	39-035-0034	Cuyahoga	88
	39-085-0003	Lake	88
	39-035-5002	Cuyahoga	78
	39-085-0007	Lake	76
21 July			
Thursday	39-085-0003	Lake	78
22 July			
Friday	39-035-5002	Cuyahoga	79
1 September			
Thursday	39-085-0003	Lake	79

2 September  
Friday

39-085-0003	Lake	80
39-153-0020	Summit	77

3 September  
Saturday

39-035-0034	Cuyahoga	77
39-085-0003	Lake	77
39-007-1001	Ashtabula	77

Summary of the sites:

Site	County	4 <sup>th</sup> high 2011	Times >75	
Conneaut	39-007-1001	Ashtabula	77	4
District	39-035-0034	Cuyahoga	81	6
G T Craig	39-035-0060	Cuyahoga	71	0
Berea BOE	39-035-0064	Cuyahoga	66	1
Mayfield	39-035-5002	Cuyahoga	78	4
Notre Dame	39-055-0004	Geauga	72	2
Eastlake	39-085-0003	Lake	81	10
JFS	39-085-0007	Lake	68	1
Elyria	39-093-0018	Lorain	72	3
Chippewa	39-103-0004	Medina	70	1
Lake Rockwell	39-133-1001	Portage	69	1
Patt Park	39-153-0020	Summit	76	6

24-hr PM<sub>2.5</sub>

DATE OF VIOLATION	HIGHEST VIOLATION SITE	COUNTY NAME	NUMBER OF VIOLATION SITES	MAXIMUM VIOLATION VALUE	EXCEPT DATA?
2011/01/06	39-035-0038	Cuyahoga	1	38	0
2011/05/31	39-153-0017	Summit	1	36	0
2011/06/12	39-153-0017	Summit	1	39	0
2011/07/03	39-153-0017	Summit	1	41	0
2011/07/04	39-153-0017	Summit	1	37	0
2011/07/17	39-153-0017	Summit	1	38	0
2011/07/18	39-153-0017	Summit	1	39	0
2011/07/20	39-153-0017	Summit	1	36	0
2011/07/28	39-153-0017	Summit	1	36	0
2011/08/06	39-153-0017	Summit	1	39	0

# Diesel Emission Reduction Grants: Information Sessions for Applicants and Equipment Vendors

*These will be informal, question-and-answer sessions to assist public and private sector diesel fleet operators interested in applying for grants to pay for emission reduction equipment and repowers or replacement vehicles. \$10 million in federal Congestion Mitigation and Air Quality funding is available this year, to be administered jointly by Ohio EPA and the Ohio Department of Transportation. Application deadline is expected to be in late December, 2011. More information and a map of eligible counties are posted at <http://epa.ohio.gov/oe/derg.aspx> Questions may also be e-mailed to [derg@epa.state.oh.us](mailto:derg@epa.state.oh.us)*



DATE	TIME	LOCATION	DIRECTIONS
Columbus, Monday October 17	10:00 a.m. – noon	Mid-Ohio Regional Planning Commission (MORPC), 111 Liberty St., Suite 100, Columbus 43215	Directions posted at <a href="http://www.morpc.org/pdf/MORPC_Map.pdf">http://www.morpc.org/pdf/MORPC_Map.pdf</a>
Dayton, Tuesday November 1	10:00 a.m. – noon.	Regional Air Pollution Control Agency (RAPCA), 117 S. Main St., Dayton, Ohio 45422	Directions posted at <a href="http://rapca.org/about_us.htm">http://rapca.org/about_us.htm</a> . The meeting will be on the second floor of the Reibold Building, on the corner of 4 <sup>th</sup> and Main. Parking is available in the attached garage (entrance on 5 <sup>th</sup> Street, just west of Main Street) and alternative parking is available at the City of Dayton transportation Center, located at the corner of 5 <sup>th</sup> and Jefferson. For additional directions only, call (937) 225-4435.
Cleveland, Thursday November 3	1:30 – 3:30 p.m..	Northeast Ohio Areawide Coordinating Agency (NOACA) Board Room, 1299 Superior Avenue, Cleveland, Ohio 44114-3204. (216) 241-2414	Direction and parking maps at <a href="http://www.noaca.org/office.html">http://www.noaca.org/office.html</a>
Toledo, Friday November 4	10:00 a.m. - noon	Toledo Metropolitan Area Council of Governments (TMACOG), 300 Martin Luther King Jr. Drive, Suite 300 Toledo, Ohio 43604, 419-241-9155	<b>From I-75 North bound:</b> I-75 North to Collingwood Blvd. (Exit 201A) Turn right on Erie St. and follow bend on to Newton St. Additional directions at <a href="http://www.tmacog.org/tmacogMAP.htm">http://www.tmacog.org/tmacogMAP.htm</a>

*For additional questions about the grant program, please contact Carolyn Watkins in Ohio EPA's Office of Environmental Education, at [carolyn.watkins@epa.state.oh.us](mailto:carolyn.watkins@epa.state.oh.us), or 614-644-3768. For questions about clean diesel technologies, please contact Carolina Prado of Ohio EPA's Division of Air Pollution Control, at [carolina.prado@epa.state.oh.us](mailto:carolina.prado@epa.state.oh.us), or 614-644-2310.*



FOR RELEASE: October 31, 2011  
CONTACT: Kristopher Weiss, (614) 644-2160

## **Ohio EPA Seeks Public Comments on Draft General Permit To Protect Air Around Shale Gas Production Sites**

With shale gas production from Ohio's Marcellus and Utica shale deposits projected to increase, Ohio EPA wants to make sure the air around production sites is safe while providing business with the most efficient option to get operations up and running. To meet this objective, the Agency has developed a draft general air permit for shale gas production sites and is seeking public comments prior to finalizing the permit.

The draft general permit covers a variety of emissions sources found at most shale gas production sites including internal combustion engines, turbine-powered generators, dehydration systems, storage tanks, flares and unpaved roadways. It contains emissions limits, operating restrictions, and monitoring, testing and reporting requirements.

The draft general permit does not cover activities that occur during the drilling and fracturing phases as the resulting air emissions are considered temporary and exempt from air pollution permit regulations. The drilling and fracturing phases are regulated under federal rules. In addition, the Ohio Department of Natural Resources (Division of Mineral Resources Management) is the primary regulatory authority over oil and gas drilling activity in Ohio, including regulations for well construction, siting, design and operation.

The draft general permit contains air pollution control standards applicable to most shale gas production sites, providing consistency and efficiency to the permitting process. Once finalized, applicants will apply for and receive the permit in as little as two weeks. Ohio EPA's air division currently offers 47 general permits which serve a variety of business sectors.

In July, an initial draft of the general permit was provided to interested parties for review and comment. Ohio EPA considered all comments received and modified the draft to better define the types of equipment covered under the permit (natural gas-fired turbine generators were added, truck-loading racks were removed) and increase the allowable number of on-site storage tanks and size of natural gas-fired compressor engines.

The draft general permit's terms and conditions, qualifying criteria and related information are available at <http://epa.ohio.gov/shale.aspx>. Public comments may be submitted to Ohio EPA Division of Air Pollution Control, attn: Cheryl Suttman, P.O. Box 1049, Columbus OH 43216-1049 or emailed to [cheryl.suttman@epa.state.oh.us](mailto:cheryl.suttman@epa.state.oh.us). The public comment period ends November 28, 2011.

The permit is expected to be finalized and made available to applicants by the end of the year.

Source: William Gruber [william.gruber@shakeronline.com]

## **FirstEnergy Plans To Buy Solar Energy; Environmentalists Laud Obama Move To Regulate Greenhouse Gases**

After falling short of the state's solar energy requirements for the past two years, FirstEnergy Corp. recently said it would reach full compliance with Ohio's 2011 renewable energy benchmarks.

FirstEnergy said its subsidiaries have procured 5,000 solar renewable energy credits (SRECs) produced by generating facilities in Ohio for each year from 2011 through 2020 to meet the state's renewable energy portfolio standard. The company also purchased 20,000 non-solar RECs through a request for proposals.

"The robust participation in this RFP is evidence of a maturing renewable energy credit market throughout Ohio," Dennis Chack, FirstEnergy's president of Ohio operations, said in a statement. "There were 28 qualified bids received, offering more than two times the required number of SRECs and over four times the required number of RECs, and many of the credits are originating in Toledo, Cleveland and other cities in our service area," he said.

Ohio's 2008 electricity regulation overhaul (SB221, 127<sup>th</sup> General Assembly), which requires 12.5% of electricity in the state to come from renewable sources by 2025, includes a provision for 1% of the total load to be generated from solar energy. Utilities may either use renewable facilities to meet the requirements or purchase RECs from other providers. Each REC represents one megawatt-hour of electricity produced from renewable generators.

FirstEnergy and Ohio's three other investor-owned utilities met the benchmarks for non-solar renewables during the first two years the law was in effect, according to information from the Public Utilities Commission of Ohio. However, the FirstEnergy was the only one to fall short of solar requirements in both 2009 and 2010.

When the agreements are finalized, FirstEnergy's Ohio utilities will have achieved compliance for 2011 and the 2010 shortfall, the company said. FirstEnergy spokesman Mark Durbin said the company sought an exemption for the two previous years because there were simply not enough SRECs available in Ohio at the time. Rather than construct renewable energy facilities, FirstEnergy had always planned to depend on purchasing credits to meet its requirements, he said.

"And that process has continued to grow over the past several years and now it's at the point where there are producers out there using solar arrays or solar farms and they could bid them into a request for proposals, like we had. And that is how the whole marketplace continues to develop."

Mr. Durbin said the 10-year RFP should help further development of the renewable energy market.

During recent energy hearings in the legislature, renewable developers stressed the importance of long term contracts with utilities in attracting capital investment to construct generation facilities.

In other developments, the Natural Resources Defense Council Tuesday applauded a fledgling move by the Obama Administration to start developing regulations designed to curb carbon dioxide pollution from new power plants.

Pointing to a rule notice on the Office of Management and Budget's website, NRDC said the document signaled the administration's intent to start regulating greenhouse gas emissions from new facilities.

"Setting carbon pollution standards for new power plants is an important first step. President Obama campaigned on moving America to a clean energy future. Cutting dangerous carbon pollution from the nation's dirty power plants is an essential part of fulfilling that pledge," David Doniger, policy director of NRDC's Climate and Clean Air Program.

"NRDC and other parties continue to work with EPA to agree on a schedule for setting standards that address carbon pollution from both new and existing power plants," he said.