

**TITLE 252. DEPARTMENT OF ENVIRONMENTAL QUALITY
CHAPTER 100. AIR POLLUTION CONTROL**

Before the Air Quality Advisory Council on October 4, 2023
Before the Environmental Quality Board on November 7, 2023

RULE IMPACT STATEMENT

Subchapter 17. Incinerators

Part 11. Other Solid Waste Incineration Units

252:100-17-93 Exemptions [AMENDED]

252:100-17-103 Part 70 permits [AMENDED]

Subchapter 23. Control of Emissions From Cotton Gins

252:100-23-3 Applicability, general requirements [AMENDED]

Subchapter 35. Control of Emission of Carbon Monoxide

252:100-35-1 Purpose [AMENDED]

DESCRIPTION: The Department of Environmental Quality (Department or DEQ) is proposing to make revisions in Subchapters 17, 23, and 35 as part of the Department’s review of Chapter 100 in response to Governor Stitt's Executive Order 2020-03. The Department is proposing to correct typographical errors in citations found in OAC 252:100-17-93, OAC 252:100-17-103, and OAC 252:100-23-3. In addition, the Department is proposing to correct the reference to the air quality standard in OAC 252:100-35-1. The gist of this rule proposal and the underlying reason for the rulemaking is to revise inaccurate rule language.

CLASSES OF PERSONS AFFECTED: Classes of persons affected are the owners and operators of facilities that are subject to the requirements in OAC 252:100-17, -23, and -35.

CLASSES OF PERSONS WHO WILL BEAR COSTS: The owners and operators of facilities that are subject to the requirements in OAC 252:100-17, -23, and -35 will bear the costs.

INFORMATION ON COST IMPACTS FROM PRIVATE/PUBLIC ENTITIES: The Department has received no information on cost impacts from private or public entities pertaining to the proposed amendments.

CLASSES OF PERSONS BENEFITTED: The proposed amendments will benefit the owners and operators of the facilities subject to these regulations by revising outdated language and/or providing regulatory clarity.

PROBABLE ECONOMIC IMPACT ON AFFECTED CLASSES OF PERSONS: The Department anticipates no significant economic impact as a result of the proposed amendments.

PROBABLE ECONOMIC IMPACT ON POLITICAL SUBDIVISIONS: The Department anticipates no economic impact on political subdivisions as a result of the proposed amendments.

POTENTIAL ADVERSE EFFECT ON SMALL BUSINESS: The Department expects no adverse effect on small business as a result of the proposed amendments.

LISTING OF ALL FEE CHANGES, INCLUDING A SEPARATE JUSTIFICATION FOR EACH FEE CHANGE: No fee changes are included in the proposed amendments.

PROBABLE COSTS AND BENEFITS TO DEQ TO IMPLEMENT AND ENFORCE: The Department anticipates there will be minimal costs associated with the implementation and enforcement of these proposed amendments.

PROBABLE COSTS AND BENEFITS TO OTHER AGENCIES TO IMPLEMENT AND ENFORCE: There are none. No other agencies will be implementing or enforcing the proposed amendments.

SOURCE OF REVENUE TO BE USED TO IMPLEMENT AND ENFORCE RULE: Federal grants and fees will continue to be used as the sources of revenue to implement and enforce the proposed rules.

PROJECTED NET LOSS OR GAIN IN REVENUES FOR DEQ AND/OR OTHER AGENCIES, IF IT CAN BE PROJECTED: The proposed amendments should have little effect on net revenues for the Department and/or other agencies.

COOPERATION OF POLITICAL SUBDIVISIONS REQUIRED TO IMPLEMENT OR ENFORCE RULE: Cooperation of political subdivisions will not be required to implement or enforce the proposed rules.

EXPLANATION OF THE MEASURES THE DEQ TOOK TO MINIMIZE COMPLIANCE COSTS: The proposed amendments are intended to minimize compliance costs by correcting inaccurate rule citations and adding regulatory clarity.

DETERMINATION OF WHETHER THERE ARE LESS COSTLY OR NONREGULATORY OR LESS INTRUSIVE METHODS OF ACHIEVING THE PURPOSE OF THE PROPOSED RULE: The Department is not aware of any less costly or nonregulatory or less intrusive methods of achieving the purpose of the proposed rules.

DETERMINATION OF THE EFFECT ON PUBLIC HEALTH, SAFETY AND ENVIRONMENT: The proposed amendments will have minimal effect on public health, safety, and the environment.

IF THE PROPOSED RULE IS DESIGNED TO REDUCE SIGNIFICANT RISKS TO THE PUBLIC HEALTH, SAFETY AND ENVIRONMENT, EXPLANATION OF THE NATURE OF THE RISK AND TO WHAT EXTENT THE PROPOSED RULE WILL REDUCE THE RISK: The proposed rules are clarifying in nature and are not designed to reduce significant risks to the public health, safety, and the environment.

DETERMINATION OF ANY DETRIMENTAL EFFECT ON THE PUBLIC HEALTH, SAFETY AND ENVIRONMENT IF THE PROPOSED RULE IS NOT IMPLEMENTED: If the proposed rules are not implemented, the Department does not anticipate any detrimental effect on the public health, safety, and the environment.

PROBABLE QUANTITATIVE AND QUALITATIVE IMPACT ON BUSINESS ENTITIES (INCLUDE QUANTIFIABLE DATA WHERE POSSIBLE): There will be minimal impact on business entities since the proposed amendments are removing outdated requirements and/or adding regulatory clarity.

THIS RULE IMPACT STATEMENT WAS PREPARED ON: May 3, 2023
MODIFIED ON: September 1, 2023