

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

**RULE IMPACT STATEMENT**

**Subchapter 7. PERMITS FOR MINOR FACILITIES**

**PART 9. PERMITS BY RULE**

**252:100-7-60.5. [AMENDED]**

Before the Air Quality Advisory Council, January 18, 2017

Before the Environmental Quality Board, February 17, 2017

1. **DESCRIPTION:** The Department is proposing to amend the Permit By Rule (PBR) in OAC 252:100-7-60.5, Oil and natural gas sector, to add references to the U.S. Environmental Protection Agency's (EPA's) recently promulgated New Source Performance Standards (NSPS) in 40 CFR Part 60, Subpart OOOOa. The proposed amendment would also clarify the use of enforceable limits to determine a facilities eligibility for the PBR. The gist of the proposed rule is to ensure that the current PBR covers facilities subject to NSPS Subpart OOOOa and the emission calculation methodologies contained therein.
2. **CLASSES OF PERSONS AFFECTED:** The classes of persons affected are the owners and operators of facilities that have either registered under the oil and natural gas PBR or already qualify for the PBR.
3. **CLASSES OF PERSONS WHO WILL BEAR COSTS:** The classes of persons who will bear costs are the owners and operators of facilities that have either registered under the oil and natural gas PBR or already qualify for the PBR. There are no new costs associated with this rulemaking activity.
4. **INFORMATION ON COST IMPACTS FROM PUBLIC/PRIVATE ENTITIES:** The Department has not received any information on cost impacts of the proposed amendments. There are no new costs associated with this rulemaking activity.
5. **CLASSES OF PERSONS BENEFITTED:** The classes of persons who would benefit from this rule are the owners and operators of facilities that have either registered under the oil and natural gas PBR or already qualify for the PBR. The proposed amendments would ensure facilities subject to NSPS OOOOa are covered by the oil and natural gas PBR and clarify methods allowed when determining eligibility for the PBR.
6. **PROBABLE ECONOMIC IMPACT ON AFFECTED CLASSES OF PERSONS:** The Department expects no economic impact on the affected classes of persons from this rulemaking activity. Owners and operators of facilities that have either registered under the oil and natural gas PBR or already qualify for the PBR will continue to be covered by or qualify for the PBR.

7. **PROBABLE ECONOMIC IMPACT ON POLITICAL SUBDIVISIONS:** The Department does not foresee any economic impact on political subdivisions due to this rule.
8. **POTENTIAL ADVERSE EFFECT ON SMALL BUSINESS:** The Department anticipates no adverse effect on small business from this rule.
9. **LISTING OF ALL FEE CHANGES, INCLUDING A SEPARATE JUSTIFICATION FOR EACH FEE CHANGE:** There are no fee changes associated with this rule.
10. **PROBABLE COSTS AND BENEFITS TO DEQ TO IMPLEMENT AND ENFORCE:** There will be no costs or benefits to DEQ to implement and enforce this rulemaking.
11. **PROBABLE COSTS AND BENEFITS TO OTHER AGENCIES TO IMPLEMENT AND ENFORCE:** There will be no other agencies implementing or enforcing this rule.
12. **SOURCE OF REVENUE TO BE USED TO IMPLEMENT AND ENFORCE RULE:** Implementation and enforcement of this rule will be funded by fees and federal grants.
13. **PROJECTED NET LOSS OR GAIN IN REVENUES FOR DEQ AND/OR OTHER AGENCIES, IF IT CAN BE PROJECTED:** The Department does not anticipate any loss or gain in revenue from this rule.
14. **COOPERATION OF POLITICAL SUBDIVISIONS REQUIRED TO IMPLEMENT OR ENFORCE RULE:** Implementation and enforcement of this rule would be handled solely by the Department, and no cooperation by other political subdivisions would be required.
15. **EXPLANATION OF THE MEASURES THE DEQ TOOK TO MINIMIZE COMPLIANCE COSTS:** The proposed amendments minimize compliance costs by clarifying what methods may be used when determining eligibility for the oil and natural gas PBR. The proposed amendments also ensure that the PBR does cover standards set forth in NSPS OOOOa.
16. **DETERMINATION OF WHETHER THERE ARE LESS COSTLY OR NONREGULATORY OR LESS INTRUSIVE METHODS OF ACHIEVING THE PURPOSE OF THE PROPOSED RULE:** The Department has determined this method to be the least intrusive and least costly for each category of affected facility to achieve the purpose of the proposed rule.
17. **DETERMINATION OF THE EFFECT ON PUBLIC HEALTH, SAFETY AND ENVIRONMENT:** The Department has determined this rule would have little to no effect on public health, safety and environment.

18. **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:** This proposed rule is not intended to reduce significant risks to public health, safety, and environment.
19. **DETERMINATION OF ANY DETRIMENTAL EFFECT ON THE PUBLIC HEALTH, SAFETY AND ENVIRONMENT IF THE PROPOSED RULE IS NOT IMPLEMENTED:** The proposed amendments would not have any detrimental effect on public health, safety, or environment if they were not implemented. The regulatory requirements for qualifying facilities are already in place.
20. **PROBABLE QUANTITATIVE AND QUALITATIVE IMPACT ON BUSINESS ENTITIES (INCLUDE QUANTIFIABLE DATA WHERE POSSIBLE):** The Department anticipates a positive impact on business entities that own or operate facilities which qualify for this PBR.

**THIS RULE IMPACT STATEMENT WAS PREPARED ON:** December 1, 2016