



Ohio EPA Regulations – What You Need to Know

Presenter:

Glorianna L. Reeser, REM, CSRP, CHMM, CSP
Sr. Risk Management Consultant at KPA



AMERICAN SOCIETY OF
SAFETY PROFESSIONALS
Central Ohio Chapter

Friday, November 15th, 2024
Central Ohio Chapter ASSP Meeting



**Environmental
Protection
Agency**

1

Agenda

Back to the Basics

- Difference Between OSHA and EPA

EPA Offices

- Federal and State

Ohio EPA Regulations

- Air
- Water
- Waste
- Crossing of Agencies

Ohio EPA Inspections

- What to Expect

Ohio EPA Grants

Pictures!

Q & A



© KPA 2024. ALL RIGHTS RESERVED. 2

2

Back to the Basics

3

EPA vs OSHA

Differences

EPA

- Fine Amounts
- Divisions
 - Air
 - Water
 - Waste

OSHA

- Fine Amounts
- Divisions
 - General Industry (1910)
 - Construction (1926)
 - Maritime (1915-19)
 - Agriculture (1928)



Other Regulatory Agencies.....

- FMCSA (Federal Motor Carrier Safety Administration)
- FRA (Federal Railroad Administration)
- FDA (Food and Drug Administration)
- DOT (Department of Transportation)
- FAA (Federal Aviation Administration)
- DHS (Department of Homeland Security)
- NRC (Nuclear Regulatory Commission)

4

EPA Fines

Original maximum	1976 RCRA statute	\$5,000
EPA's 1 st increase	1997	\$5,500
EPA's 2 nd increase	2004	\$6,500
EPA's 3 rd increase	2009	\$7,500
EPA's 4 th increase	2016	\$14,023
EPA's 5 th increase	2017	\$14,252
EPA's 6 th increase	2018	\$14,543
EPA's 7 th increase	2019	\$14,910
EPA's 8 th increase	2020	\$15,173
EPA's 9 th increase	2021	\$15,352
EPA's 10 th increase	2022	\$16,307
EPA's 11 th increase	2023	\$17,570
EPA's 12 th increase	2024	\$18,139

	Year	Maximum Penalty
Original maximum	1980 CERCLA statute	\$5,000
Congressional increase of maximum	1986 CERCLA statutory amendments	\$25,000
EPA's 1 st increase	1997	\$27,500
EPA's 2 nd increase	2004	\$32,500
EPA's 3 rd increase	2009	\$37,500
EPA's 4 th increase	2016	\$53,907
EPA's 5 th increase	2017	\$54,789
EPA's 6 th increase	2018	\$55,907
EPA's 7 th increase	2019	\$57,317
EPA's 8 th increase	2020	\$58,328
EPA's 9 th increase	2021	\$59,017
EPA's 10 th increase	2022	\$62,689
EPA's 11 th increase	2023	\$67,544
EPA's 12 th increase	2023	\$69,733

Table 1. CAA Section 185 Fee Rates by Calendar Year

Part 70 Fee Rates Effective Dates	Part 70 Permit Fee Rate ^a	Scaled Section 185 Fee Rate ^b	Annual CAA Section 185 Fee Rate ^c
Sept. 1, 2018 – Aug. 31, 2019	\$51.06	\$10,212.00	\$10,276.67 2019
Sept. 1, 2019 – Aug. 31, 2020	\$52.03	\$10,406.00	\$10,456.67 2020
Sept. 1, 2020 – Aug. 31, 2021	\$52.79	\$10,558.00	\$10,663.33 2021
Sept. 1, 2021 – Aug. 31, 2022	\$54.37	\$10,874.00	\$11,152.67 2022
Sept. 1, 2022 – Aug. 31, 2023	\$58.55	\$11,710.00	\$11,922.00 2023
Sept. 1, 2023 – Aug. 31, 2024	\$61.73	\$12,346.00	\$12,476.67 2024
Sept. 1, 2024 – Aug. 31, 2025	\$63.69	\$12,738.00	



<https://www.epa.gov/system/files/documents/2024-01/amendments-to-the-epa-civil-penalty-policy-inflation-011524.pdf>

© KPA 2024. ALL RIGHTS RESERVED. 5

5

OSHA Fines

OSHA Penalties

Below are the maximum penalty amounts, with the annual adjustment for inflation, that may be assessed after Jan. 15, 2024. (See [OSHA Memo, Jan. 8, 2024](#)).

Type of Violation	Penalty
Serious Other-Than-Serious Posting Requirements	\$16,131 per violation
Failure to Abate	\$16,131 per day beyond the abatement date
Willful or Repeated	\$161,323 per violation



<https://epa.ohio.gov/divisions-and-offices/materials-and-waste-management/reports-and-data/06-enforcement-actions-calendar-year-2021>

© KPA 2024. ALL RIGHTS RESERVED. 6

6

EPA Offices



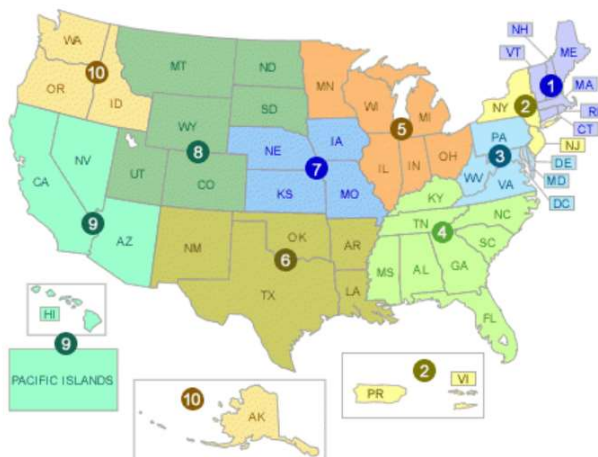
© KPA 2024. ALL RIGHTS RESERVED. 7

7

Federal EPA

Regional Offices

We have ten Regional offices, each of which is responsible for the execution of our programs within several states and territories. To get information about activities in your Regional office, select the appropriate link.



EPA Region 5



Serving [Illinois](#), [Indiana](#),
[Michigan](#), [Minnesota](#),
[Ohio](#), [Wisconsin](#) and
[35 Tribes](#)

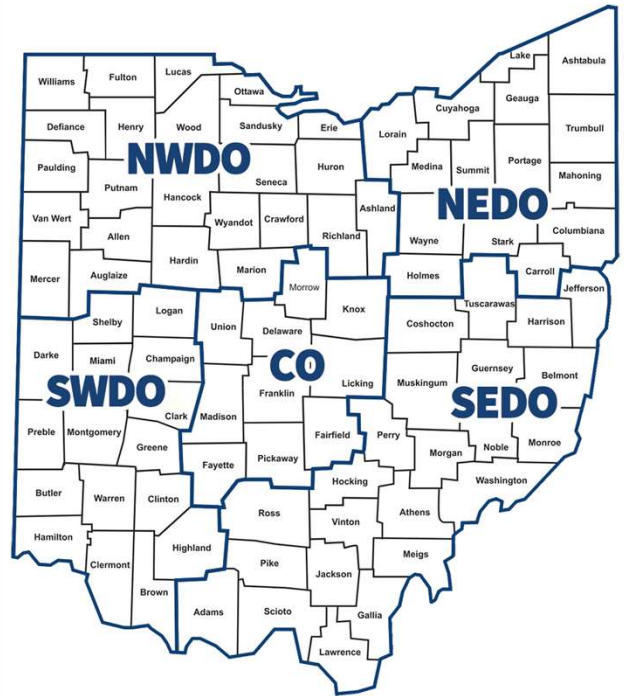


8

Ohio EPA

District Offices Contacts / Questions:

<https://epa.ohio.gov/about/districts/district-offices>



9

Ohio EPA Regulations



© KPA 2024. ALL RIGHTS RESERVED. 10

10

Ohio EPA – Air Permits

- Clean Air Act – 1970
- **Permits to Install and Operate**
 - These require fees, reporting, renewal dates
 - **Major Source (Title V)**
 - PTI and PTO
 - **Minor Source (Non-Title V)**
 - PTIO
- **PBR**
 - One Page Notification Form
 - No Fees

Equipment that might require an air permit:

- Incinerators
- Scrubbers
- Flares
- Paint Booths
- Gas Dispensing Facilities
- Oil/Gas Well Sites
- Roadways / Parking Areas
- Boilers / Heaters
- Emergency Generators / Water Pumps / Compressors

Things that emit pollutants into the air.



© KPA 2024. ALL RIGHTS RESERVED. 11

11

Federal EPA – NESHAP

- National Emission Standards for Hazardous Air Pollutants
- <https://www.epa.gov/stationary-sources-air-pollution/national-emission-standards-hazardous-air-pollutants-neshap-8>

- Initial Reporting / Re-reporting
- Recordkeeping
- Facility Requirements
- Training
- Dry Cleaning Operations
- Paint Spray Booth Operations
- Gas Dispensing Facilities
- Foundries
- Refineries
- Cooling Towers
- Coating Operations
- Smelting



© KPA 2024. ALL RIGHTS RESERVED. 12

12

Ohio EPA – Water Regulations

- **Division of Drinking & Ground Water**
- Public Water System
 - Well Water / Surface Water Serving the Public
 - WWTP / WTP
 - Lab Testing / Fees / Training
 - **LTO** (License to Operate)
- **Division of Surface Water**
 - Clean Water Act - 1972
 - Stormwater Permits
 - Construction / Industrial / Municipal
 - **NPDES / NOI** (Notice of Intent)
 - Know Your SIC Code
 - TSDFs
 - Landfills / Dump Sites
 - Power Generating Facilities
 - Recycling Facilities
 - Transportation Facilities
 - Construction Activities



© KPA 2024. ALL RIGHTS RESERVED. 13

13

Ohio EPA – Waste Regulations

- **Division of Materials and Waste Management**
 - Solid Waste
 - Infectious Waste
 - Scrap Tires (June 2023 Update)
 - Construction and Demolition Debris
- **Division of Environmental Response and Revitalization**
 - Hazardous Waste
 - Universal Waste
 - Used Oil
 - Pharmaceuticals



© KPA 2024. ALL RIGHTS RESERVED. 14

14

Ohio EPA – Waste Regulations

- **Hazardous Waste – Generator Status**
 - **VSQG** (Very Small Quantity Generator)
 - ≤ 100 Kg per month
 - Approx 25-30 gallons
 - **SQG** (Small Quantity Generator)
 - Between 100 and 1,000 Kg per month
 - Approx 25-300 gallons
 - **LQG** (Large Quantity Generator)
 - ≥ 1,000 Kg per month
 - Approx 300 gallons or more
 - Requires Hazardous Waste Biennial Reporting – OAC rule 3745-52-41
- **EPA ID #**
 - myRCRAid
- **Waste Determination** – OAC rule 3745-52-11
- **Container Management** – OAC rules 3745-52-16(B)(2) - SQGs and 3745-52-17(A)(1) – LQGs
- **Testing and Maintenance of Equipment** – OAC rules 3745-52-16 (B)(8)(c) and 3745-52-253

HAZARDOUS WASTE

FEDERAL LAWS PROHIBIT IMPROPER DISPOSAL
IF FOUND, CONTACT THE NEAREST POLICE OR
PUBLIC SAFETY AUTHORITY OR THE
U.S. ENVIRONMENTAL PROTECTION AGENCY

GENERATOR INFORMATION:

NAME: _____
ADDRESS: _____
CITY: _____ STATE: _____ ZIP: _____
EPA ID NO: _____ EPA WASTE NO: _____
ACCUMULATION START DATE: _____ MANIFEST TRACKING NO: _____

D.O.T. PROPER SHIPPING NAME AND UN OR NA NO. WITH PREFIX
HANDLE WITH CARE!



© KPA 2024. ALL RIGHTS RESERVED. 15

15

Ohio EPA – Waste Regulations

- **Universal Waste**
 - Paint and Paint-Related Waste
 - Antifreeze
 - Aerosol Cans
 - Update 2023 - removed from Ohio
 - Lead-Acid Batteries
 - Lamps
 - Mercury Containing Equipment
 - Pesticides
- **Handler Status**
 - Small Quantity Handler
 - Less than 5,000 Kilograms / 11,023 Lbs of UW at any time
 - Large Quantity Handler
 - More than 5,000 Kilograms / 11,023 Lbs of UW at any time

Universal Waste

ADVANTAGES

UWs do not count toward generator's status
Waste evaluation of UW is not required
Recycling encouraged (but not required)
No hazardous waste manifesting required
One-year accumulation time limit
Handlers may collect and store from other handlers
A hazardous waste transporter is not required

REQUIREMENTS

Compatible container, closed and labeled
Training requirement + (Basic UW training)
Spill cleanup requirement
Notification by LQHUW
Tracking required for LQHUWs/destination fac.
Transportation per DOT
Transporter may store UW ≤ 10 days

UNIVERSAL WASTE

SHIPPER: _____
ADDRESS: _____
CITY, STATE, ZIP: _____
CONTENTS: _____
ACCUMULATION START DATE: _____



© KPA 2024. ALL RIGHTS RESERVED. 16

16

Crossing of Agencies

SPCC Plans

- Regulated by **Federal EPA**
- Ohio EPA doesn't have jurisdiction
- 1,320 Gallons Onsite
- Sources 55 Gallons and up
- Written Plan
- Secondary Containment
- Tank Testing
- Inspections
- Training



USTs

- Regulated by **Ohio Fire Marshal**
- Annual Registration
- Annual Financial Assurance
- Monthly Inspections
- Annual Inspections
- Cathodic Protection Requirements
- UST Operator Training



Hazardous Waste Manifests

Dept. of Transportation (DOT)
Must have 3yr DOT HazMat Training

Tier II Chemical Inventory Report

- SERC**
 - State Emergency Response Commission
- LEPC**
 - Local Emergency Planning Committee
- Fire Department** – Local
- Due March 1st Annually
- > 10,000 lbs Hazardous Chemical

Ohio EPA Inspections

Ohio EPA Inspections



Not this!

Be Prepared!

- Know Your Operations
- Know How Your Regulated
- Work With Ohio EPA Ahead of Time

Keep Records!

- Permits / Licenses
- Inspections (Equipment / Facility)
- Testing (TCLP / Labs / Equipment)
- Waste Determinations
- Waste Pickups (all waste streams)
- Training

Don't Do These

- Be Rude / Inappropriate
- Turn them away without good reason
- Hand over all your files
- Retaliate against employees
- Turn them loose in your facility alone

What To Do When They Show Up

- Who is First Contact?
- Ask for ID
- Ask for the Reason for Inspection
 - Random
 - Scheduled
 - Complaint
 - Incident
- Gather appropriate staff
- Gather any requested documentation
- Only visit necessary locations
- Always escort them around
- Fix any small items right away
- If they pictures – You take pictures!
- Have a closing conference
- Ask if they got everything they needed
- Share all contact information

Ohio EPA Grants

Ohio EPA – Financial Assistance – Grants Available

- <https://epa.ohio.gov/get-funding>

- **Grants**

- Academic Institution Grant Program – up to \$200,000
- Clean Water Act Section 319(h) Grant – up to \$400,000
- Recycle Ohio Grant Program – up to \$200,000
- Lake Erie Protection Fund – up to \$50,000
- Mosquito Control Grant Program – up to \$800,000
- Ohio Environmental Education Fund – up to \$50,000
- Scrap Tire Grant – up to \$300,000
- Scrap Tire Education and Outreach Grant – up to \$20,000
- Surface Water Improvement Fund – up to \$150,000
- Source Reduction Grant – up to \$10,000

- **Scholarships**

- Ohio Environmental Science and Engineering Scholarship (\$2,500 and \$5,000 scholarships)

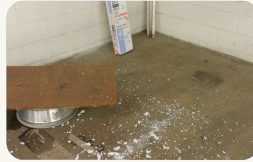


21

Pictures!

22

PICTURES!



© KPA 2024. ALL RIGHTS RESERVED. 23

23



Questions?

Thank you for your
attendance and attention!

Glorianna L. Reeser
REM, CSRP, CHMM, CSP

Sr. Risk Management Consultant

greeser@kpa.io
614-432-5044

24