

# 1<sup>st</sup> STOP CHECKLIST: OIL & NATURAL GAS WELL DRILLING

## REQUIREMENTS & REGULATIONS

- [] Oil and natural gas well drilling are regulated by the **Ohio Department of Natural Resources, Division of Mineral Resources Management**. Contact the Division at **(614) 265-6633** for more detailed licensing and permit information. Information is also on-line at <http://minerals.ohiodnr.gov>.
- [] When oil or natural gas is removed from the ground or water, you must pay excise tax. You will need a severance license. Contact the **Ohio Department of Taxation** at **(888) 405-4039 for Business Tax Assistance; (888) 405-4089 for Tax Registration; or (800) 282-1782 for the Forms Request Line**. Information is also on-line at <http://www.tax.ohio.gov>. *\*Remember to check local government agencies.\**
- [] Storage tanks must be inspected before use. Contact the local fire authority or the **State Fire Marshal**. The **State Fire Marshal's Office** can be reached at **(614) 752-8200** and is also on-line at [www.com.state.oh.us/fire](http://www.com.state.oh.us/fire). *\*Remember to check local government agencies.\**
- [] Contact the **Ohio Environmental Protection Agency (EPA)** for information about the proper disposal of hazardous and solid waste. The EPA can be reached at **(614) 644-3020 for General Inquiries** or **(800) 329-7518 for Office of Compliance Assistance and Pollution Prevention**. The Ohio EPA is also on-line at [www.epa.state.oh.us](http://www.epa.state.oh.us). *\*Remember to check local government agencies.\**
- [] Ohio's drilling of wells and production of oil and gas laws can be found in **Ohio Revised Code (ORC) Section 1509.23**.
- [] The **Ohio Revised Code (ORC)** and **Ohio Administrative Code (OAC)** can be found in your local library or on-line at <http://codes.ohio.gov>.

**For more help, contact your local Small Business Development Center (SBDC).**

**[www.ohiosbdc.ohio.gov](http://www.ohiosbdc.ohio.gov)**

**\*REMEMBER TO CHECK LOCAL GOVERNMENT AGENCIES\***

**THIS CHECKLIST IS ABOUT STATE REQUIREMENTS.**

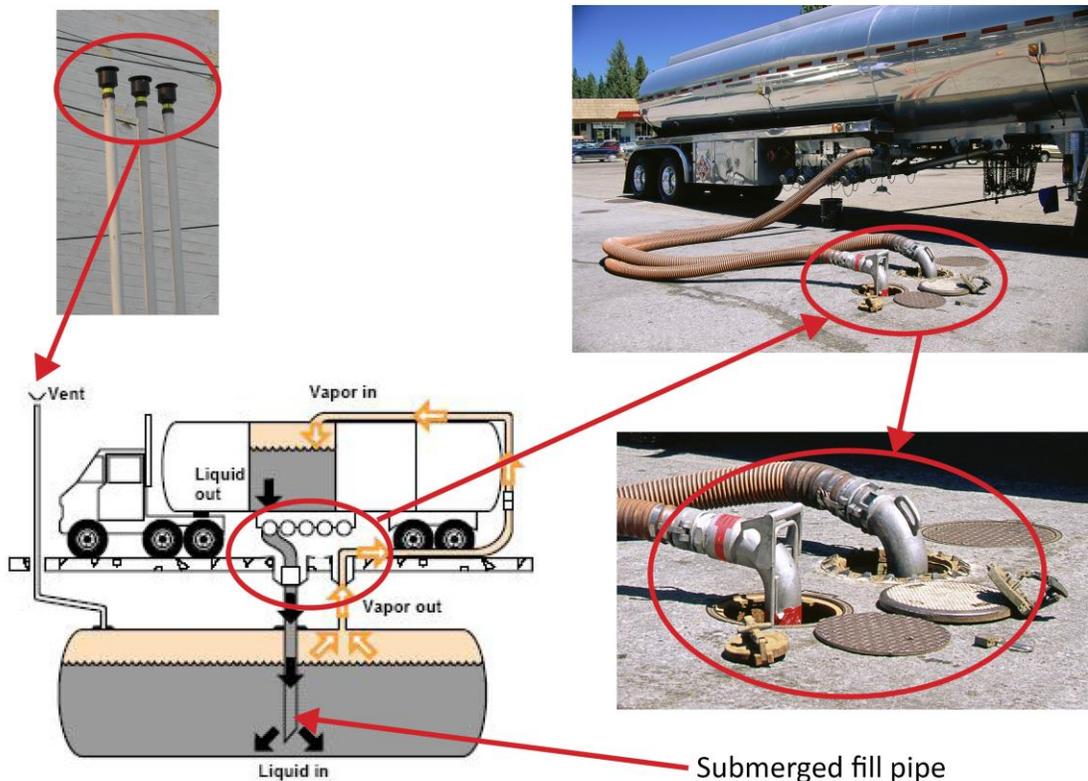
## Gasoline Dispensing Facilities: Know Your EPA Regulations

*Gasoline vapors contribute to ground-level ozone and smog formation. Ohio EPA requires equipment to capture these vapors to prevent them from being released to the atmosphere. Ohio EPA and local air agencies inspect and test the vapor control equipment to help keep the air clean in major metropolitan areas.*

A Gasoline Dispensing Facility (GDF) is a retail service station or private facility where gasoline is dispensed into vehicle fuel tanks. Gasoline vapors are released from a GDF when underground storage tanks are filled and when gasoline is dispensed into vehicle fuel tanks. The two main types of vapor control equipment at GDFs are known as Stage I and Stage II vapor controls.

### Stage I Vapor Controls

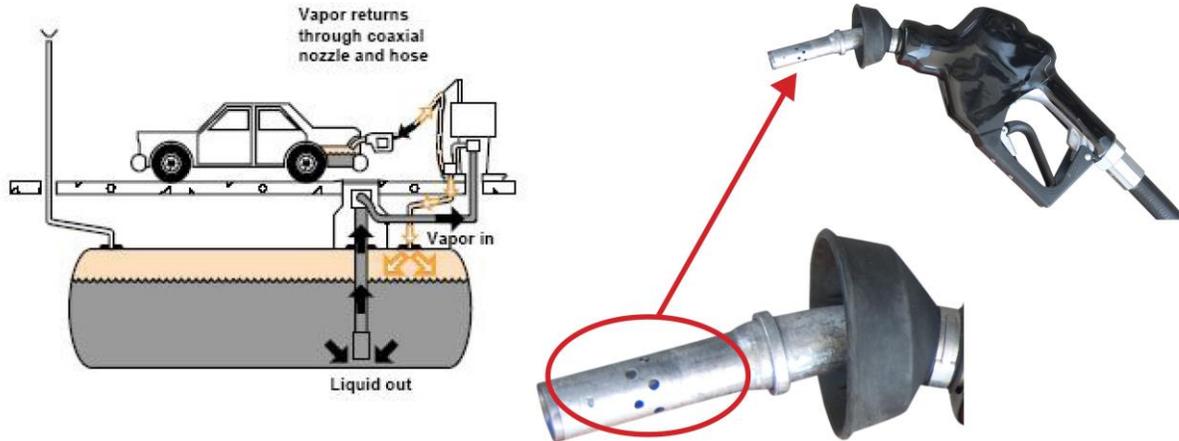
Stage I vapor controls reduce the amount of gasoline vapors released when underground storage tanks are filled. This equipment uses a combination of pipes and hoses to collect displaced gasoline vapors from the tank and route them back into the delivery truck. A submerged fill pipe, or drop tube installed to within six inches of the bottom of the tank significantly reduces splashing and vapor generation as the tank is filled.



# Gasoline Dispensing Facilities: Know Your EPA Regulations

## Stage II Vapor Controls

Stage II vapor controls reduce gasoline vapors when gasoline is dispensed into vehicle fuel tanks. This equipment includes special dispensing nozzles to capture displaced vapors at the vehicle fill neck and route them back to the underground storage tank.



NOTE: Ohio is phasing out the requirement that mandates Stage II systems in certain counties. See page 3.

## Where in Ohio is Stage I vapor control required?

Ohio Administrative Code (OAC) rule [3745-21-09\(R\)](#) requires Stage I vapor control on all GDFs in Ohio, with few exceptions. Your GDF may not need Stage I controls if either: 1) the annual throughput is less than 120,000 gallons of gasoline or 2) gasoline transfers are made to a stationary storage tank that is equipped with an internal floating roof or external floating roof.

## What about federal NESHAP Subpart 6C regulations that apply to GDFs?

Federal regulations, known as National Emission Standards for Hazardous Air Pollutants (NESHAP), 40 CFR 63 Subpart CCCCCC or "6C", apply to GDFs nationwide. The federal regulations require Stage I controls, submerged fill pipes, operating practices, and periodic testing of some Stage I system components if the GDF has a monthly throughput exceeding 100,000 gallons per month (calculated using a rolling 12-month average). The 6C NESHAP does not include or mandate Stage II controls. See [U.S. EPA's brochure](#) for a summary of the rule. Also see [U.S. EPA's web site](#), which includes a [video explaining the requirements](#), for more information on complying with the 6C NESHAP regulations.

Currently, Ohio EPA does not have the delegated authority to enforce these federal NESHAP regulations. For questions regarding these rules and requirements, contact U.S. EPA, Region 5, Chicago, IL at (312) 886-6798.

## Where in Ohio is Stage II vapor control required?

Ohio Administrative Code (OAC) rule [3745-21-09\(DDD\)](#) requires additional Stage II vapor control on all GDFs in 16 Ohio counties (Ashtabula, Butler, Clark, Clermont, Cuyahoga, Geauga, Greene, Hamilton, Lake, Lorain, Medina, Miami, Montgomery, Portage, Summit and Warren) with few exceptions as noted below.

- 1) The GDF has a monthly gasoline throughput of less than 10,000 gallons per month.
- 2) The GDF is located at a marina or aircraft refueling stand.
- 3) The motor vehicle fueling or refueling operation is located at an automobile or light-duty truck assembly plant or heavier vehicle assembly facility and which, considered alone, has a monthly gasoline throughput of less than 10,000 gallons per month. Any gasoline dispensers located within 200 feet from each other shall be considered as one operation.

## Gasoline Dispensing Facilities: Know Your EPA Regulations

- 4) The GDF is used solely for the dispensing of E85, a gasoline with an ethanol content of 51 to 83 percent by volume.
- 5) The GDF dispenses gasoline to a fleet of motor vehicles in which 95 percent or more of the fleet of motor vehicles being fueled with gasoline is equipped with on-board refueling vapor recovery.
- 6) It is a new GDF installed after October 1, 2013 and employs low permeation hoses.

### Is Ohio EPA phasing out its Stage II requirements?

Yes. Some time ago, U.S. EPA required 2006 model year and newer vehicles to be equipped with onboard refueling vapor recovery (ORVR) systems. This ORVR technology enables the vehicle to collect its own vapors during refueling. Traditional Stage II controls on the pump are unnecessary once the vehicle fleet contains a sufficient percentage of ORVR-equipped vehicles.

In January 2014, GDFs in Ohio began decommissioning Stage II vapor control systems. All Stage II systems must be decommissioned by Jan. 1, 2017.

### Do GDFs with Stage II still need to operate and maintain their systems?

Yes. All GDFs with Stage II systems must continue to operate and maintain the systems, including any annual testing, until decommissioning of the Stage II system is completed.

### How do I decommission my Stage II system?

The decommissioning requirements can be found in OAC rule [3745-21-09\(DDD\)](#). There are several steps to follow:

- 1) At least 14 days prior to decommissioning the Stage II system, submit a written notification to the Ohio EPA district office or local air agency explaining the intended decommissioning and the date it will occur.
- 2) Complete all decommissioning work in accordance with the [Petroleum Equipment Institute's](#) guidance *Recommended Practices for Installation and Testing of Vapor Recovery Systems at Vehicle Refueling Sites*, PEI/RP300-09.
- 3) Prior to dispensing gasoline after decommissioning has been completed, install low permeation hoses meeting UL 330 (Seventh Edition) *Underwriters Laboratories' Standard for Hose and Hose Assemblies for Dispensing Flammable Liquids* on all dispensers. Documentation of the use of low permeation hoses shall be retained for three years and made available to an Ohio EPA representative for review within seven business days of a request.
- 4) Conduct a static leak test of the system, per the PEI/RP300-09 guidance.
- 5) Within 30 days after decommissioning has been completed, apply for a new PTIO or PBR to reflect the removal of the Stage II system (see additional permit information below).
- 6) Within 30 days after decommissioning has been completed, submit a certification statement signed by an authorized representative to the Ohio EPA district office or local air agency that confirms the GDF has been decommissioned in accordance with the PEI/RP300-09 guidance and low permeation hoses have been installed on all dispensers. Please note if using the new PBR application form available on Ohio EPA's website, a separate certification statement is not required.

### Does a GDF need an air pollution permit from Ohio EPA?

Possibly, depending on the county in which the GDF is located. Regardless of county location, any GDF having a maximum gasoline throughput of less than 6,000 gallons per year does not need a permit from Ohio EPA. In most major metropolitan areas, a permit-to-install and operate (PTIO) or a permit-by-rule (PBR) registration is required before installing a GDF or before replacing tanks or vapor control equipment.

A PTIO or PBR registration is required for a GDF in the following counties:

Ashtabula, Butler, Clark, Clermont, Cuyahoga, Delaware, Franklin, Geauga, Greene, Hamilton, Lake, Licking, Lorain, Lucas, Mahoning, Medina, Miami, Montgomery, Portage, Stark, Summit, Trumbull, Warren and Wood.

For GDFs located in other Ohio counties, a PTIO or PBR registration is not required.

## Gasoline Dispensing Facilities: Know Your EPA Regulations

**Important:** If you are already operating a GDF in one of the counties above and did not get a permit when you first constructed, you still need to obtain a PTIO or submit a PBR registration.

### What is the difference between a PTIO and a PBR registration?

A PTIO is a customized permit document that explains the installation and operating requirements for your GDF. It requires an application and typically takes up to two months to process. A PBR is a simpler registration option that tells you how to operate your GDF. However, to qualify for the PBR option, GDFs must meet certain design criteria and not exceed annual gasoline throughput thresholds.

The PBR requires you to submit a simple, two-page notification form attesting your GDF meets the qualifying criteria and you agree to follow all of the operating requirements contained in the PBR regulation. Installation of the GDF can proceed once the PBR notification is submitted. Table 1 explains the major differences between the PTIO and PBR options for GDFs.

**Table 1: Comparison of PTIO and PBR options for GDFs**

	PTIO	PBR
Application Fee	None	None
Application Detail	Detailed (Form #3150a + EAC form #3105)	Simple, 2-page notification
Term	10 years	No expiration
Processing Time	Up to 60 days typical, 180 days by law	Immediate upon submitting notification
One-time installation fee*	\$100	None
Annual emission fee*	\$100 typical	None*
Qualifying criteria	None	Yes. See link below.
Online forms and info	<a href="http://epa.ohio.gov/dapc/fops/eac/eacforms.aspx">epa.ohio.gov/dapc/fops/eac/eacforms.aspx</a>	<a href="http://epa.ohio.gov/dapc/pbr/permitbyrule.aspx">epa.ohio.gov/dapc/pbr/permitbyrule.aspx</a>
*Some city or county-based local air agencies may charge local fees for GDF installation, PBR registration and testing/inspection. Contact your local air agency for more information about these fees.		

### What are the qualifying criteria for the PBR option?

There are two PBR options available, depending primarily on the county in which the GDF is located and the maximum annual throughput of gasoline. See the table below for the specific qualifying criteria.

Criteria	Stage I PBR	Stage II PBR
County location	Delaware, Franklin, Licking, Lucas, Mahoning, Stark, Trumbull and Wood	Ashtabula, Butler, Clark, Clermont, Cuyahoga, Geauga, Greene, Hamilton, Lake, Lorain, Medina, Miami, Montgomery, Portage, Summit and Warren
Maximum annual gasoline throughput limit	3,800,000 gallons/year	16,000,000 gallons/year
Vapor control system (s) required	Stage I system that is 90% efficient (unless exempt)	Stage I system that is 90% efficient (unless exempt) plus Stage II system that is 95% efficient (unless exempt or decommissioned)
Submerged fill pipes, i.e., drop tubes, on tanks	Within 6" of tank bottom	Within 6" of tank bottom

# Gasoline Dispensing Facilities: Know Your EPA Regulations

## How do I get a PTIO or PBR registration?

Applying for a PTIO or a PBR registration can be done through your local Ohio EPA district office or local air agency. You can find application forms and district office contact information online at [epa.ohio.gov/dapc](http://epa.ohio.gov/dapc) or by calling Ohio EPA's Office of Compliance Assistance and Pollution Prevention at (800) 329-7518. You can also apply online through Ohio EPA's *eBusiness Center* using the Air Services application.

## What does my PTIO or PBR registration require me to do?

The PTIO or PBR registration tells you how to install, operate and maintain your vapor control equipment. It also requires you to keep records and to notify Ohio EPA or your local office prior to conducting any tests on Stage II vapor control equipment.

### Operators of Stage I systems must

- Use the system at all times during gasoline deliveries.
- Inspect and promptly repair equipment to ensure there are no leaking pressure/vacuum relief valves or leaks in vapor line or liquid line connections.
- Ensure all fill caps and hatch covers are closed during normal storage conditions.
- Keep records of annual throughput of gasoline and diesel/kerosene and used oil.
- If subject to NESHAP Subpart 6C: perform static leak test once every three years.

### Operators of Stage II systems must

- Follow all requirements for Stage I systems above.
- Have an employee trained in operating and maintaining the Stage II control equipment. [See *list* of companies that provide training].
- Perform a static leak test and dynamic pressure test upon initial installation and every five years thereafter.
- Maintain the Stage II equipment in proper working order and use only CARB-certified replacement parts that are compatible with your system.
- Perform any tests specified in, and at the frequency of, the applicable CARB Executive Order for the type of vapor control system installed. Your local district office or testing company can advise you and the type and frequency of such tests. Most CARB Executive Orders require an annual static leak test and an air to liquid ratio (A/L) test.
- Report test results to the appropriate Ohio EPA district office or local air agency within 30 days. Most testing companies perform this service, but you should confirm.

## What does "CARB-certified" mean?

It means the vapor control system and component parts such as valves, nozzles and pumps have been evaluated and certified by the California Air Resources Board (CARB). All GDFs in Ohio that are required to have Stage II controls must use CARB-certified equipment, including CARB-certified replacement parts that are compatible with your system.

You can obtain information on the CARB certification (Executive Order) and CARB-approved parts for your system from the Stage II equipment manufacturer, your Ohio EPA field office, or from the CARB website at <http://arbis.arb.ca.gov/vapor/vapor.htm>. Contact your Ohio EPA district office or local air agency with questions regarding the CARB requirements.

## Who will test my Stage II equipment?

If you have Stage II equipment, you must hire an independent testing company to perform the test. Staff from the Ohio EPA district office or local air agency will witness equipment tests, but not actually perform them. You or your testing company must contact the Ohio EPA district office or local air agency 30 days before the test date so an inspector can be present to witness the test. [See *list* of testing companies].

# Gasoline Dispensing Facilities: Know Your EPA Regulations

## What components of the vapor control system typically fail a test?

Any part of the vapor control system may fail, but the most common components that contribute to failing system tests are:

- pressure/vacuum (PV) vent valves on tanks missing or inoperable;
- missing caps and/or damaged fittings on filling and vapor return lines;
- vacuum pumps (an vacuum-assist systems) leaking or not functioning;
- fuel filters clogged, restricting flow;
- crushed, crimped, or blocked nozzles or hoses;
- replacement parts that are not CARB-certified and compatible with the Stage II system.

## What vapor control systems are required for new GDFs?

A new GDF installed in Ohio must have, at a minimum, Stage I vapor control unless exempt due to low throughput. In addition, a new GDF located within any of the counties (Ashtabula, Butler, Clark, Clermont, Cuyahoga, Geauga, Greene, Hamilton, Lake, Lorain, Medina, Miami, Montgomery, Portage, Summit, and Warren) where Stage II controls were mandated needs to employ low permeation hoses on all dispensers.

## What about registering and testing my underground storage tanks?

Installing or removing underground storage tanks in Ohio requires registration with the Bureau of Underground Storage Tank Regulation (BUSTR) within the State Fire Marshal's Office. BUSTR regulations require periodic tests of underground tanks and piping to ensure petroleum liquids are not contaminating soils and sources of drinking water. BUSTR requirements are in addition to the U.S. EPA requirements for Stage I and II systems. You may contact the BUSTR at (614) 752-7938 or visit their website at <http://com.ohio.gov/fire> to learn more about their requirements.

## I'm thinking of buying a property that was a gas station at one time. What are the major environmental issues?

BUSTR oversees the clean-up and closure of underground petroleum storage tanks at gas stations. BUSTR has rules and guidelines for underground tank closure, and a helpful fact sheet about GDF liability issues at [http://com.ohio.gov/documents/fire\\_buyGasStation.pdf](http://com.ohio.gov/documents/fire_buyGasStation.pdf). They also respond to public records requests for environmental information about properties containing or formerly containing underground storage tanks. You can contact them with the property location to see if they have information on file about the closure and/or clean-up.

## Where can I get help?

- Ohio EPA's Office of Compliance Assistance and Pollution Prevention (OCAPP) for help at (800) 329-7518 or [epa.ohio.gov/ocapp](http://epa.ohio.gov/ocapp). OCAPP is an independent, non-regulatory office within Ohio EPA that offers FREE assistance to small businesses that need help complying with the regulations. OCAPP can also help you with permit applications or other EPA paperwork.
- OCAPP's web page for GDF regulations and compliance information: [epa.ohio.gov/ocapp/gas\\_stations.aspx](http://epa.ohio.gov/ocapp/gas_stations.aspx)

# Gasoline Dispensing Facilities: Know Your EPA Regulations

## Contact

For more information regarding the content of this fact sheet, contact Ohio EPA's Office of Compliance Assistance and Pollution Prevention at (800) 329-7518. Contact your local Ohio EPA district office or local air agency for questions and notifications concerning the testing of vapor control systems, decommissioning Stage II equipment, permitting issues, CARB requirements, or other issues.

<b>County where GDF is located</b>	<b>Local district office contact</b>
Cuyahoga	<b><i>Cleveland Department of Public Health, Division of Air Quality</i></b> 75 Erieview Plaza, 2nd Floor Cleveland, Ohio 44114 (216) 664-2297
Ashtabula, Geauga, Lake, Lorain, Mahoning, Trumbull	<b><i>Ohio EPA, Northeast District Office, Division of Air Pollution Control</i></b> 2110 E. Aurora Rd. Twinsburg, Ohio 44087 (330) 963-1200
Medina, Portage, Summit	<b><i>Akron Regional Air Quality Management District</i></b> Fairway Center, 1867 W. Market St. Akron, Ohio 44313 (330) 375-2840
Stark	<b><i>Canton City Health Department, Air Pollution Division</i></b> 420 Market Ave. North Canton, Ohio 44702-1544 (330) 489-3385
Delaware, Franklin, Licking	<b><i>Ohio EPA, Central District Office, Division of Air Pollution Control</i></b> 50 West Town Street, Suite 700 Columbus, Ohio 43215 (614) 728-3778
Clark, Greene, Miami, Montgomery	<b><i>Regional Air Pollution Control Agency</i></b> 117 South Main St. Dayton, Ohio 45422-1280 (937) 225-4435
Butler, Clermont, Hamilton, Warren	<b><i>Southwest Ohio Air Quality Agency</i></b> 250 William Howard Taft Road Cincinnati, Ohio 45219-2660 (513) 946-7777
Lucas county and City of Rossford	<b><i>Toledo Division of Environmental Services</i></b> 348 South Erie Street Toledo, Ohio 43604 (419) 936-3015
Wood	<b><i>Ohio EPA, Northwest District Office, Division of Air Pollution Control</i></b> 347 North Dunbridge Road Bowling Green, Ohio 43402 (614) 352-8461
All other counties	<b><i>Ohio EPA, Division of Air Pollution Control</i></b> 50 W. Town Street Columbus, Ohio 43216 (614) 644-2270