

Executive Summary

Amendments to 25 Pa. Code Chapters 121 and 129

Control of VOC Emissions from Paper, Film and Foil Surface Coating Operations

Purpose of the Final-form Rulemaking

The Department of Environmental Protection recommends final-form amendments to 25 Pa. Code Chapter 121 (relating to definitions) and Chapter 129 (relating to standards for sources) for consideration by the Environmental Quality Board (Board) to limit emissions of volatile organic compounds (VOCs), which are precursors for ground-level ozone formation, from the use and application of coatings and cleaning materials in paper, film, or foil surface coating processes. The final amendments will add § 129.52b (relating to control of VOC emissions from paper, film and foil surface coating processes) and amend §§ 121.1, 129.51 and 129.52 (relating to definitions; general; and surface coating processes).

The final-form rulemaking adopts the emission limits and other requirements of the U.S. Environmental Protection Agency's (EPA) 2007 Control Techniques Guidelines (CTGs) for paper, film, and foil surface coating in order to meet Federal Clean Air Act (CAA) requirements. The final-form rulemaking will assist in reducing VOC emissions locally as well as reducing the transport of VOC emissions and ground-level ozone to downwind states. Adoption of VOC emissions requirements for paper, film and foil surface coating operations is part of the Commonwealth's strategy, in concert with the other Ozone Transport Region (OTR) jurisdictions, to further reduce transport of VOC ozone precursors and ground-level ozone throughout the OTR in order to attain and maintain the 8-hour ozone National Ambient Air Quality Standard (NAAQS). These final-form amendments will provide approximately 176 tons per year of additional VOC emission reductions in Pennsylvania. This final-form rulemaking is reasonably necessary to attain and maintain the 8-hour ozone NAAQS throughout this Commonwealth and, if adopted as a final regulation, will be submitted to the EPA as a revision to the State Implementation Plan (SIP).

Summary of the Final-form Rulemaking

The final-form amendments add one new term and definition to § 121.1 (relating to definitions) and revise one existing term and two existing definitions in § 121.1.

The final-form rulemaking amends § 129.51(a) to extend its coverage to paper, film and foil surface coating processes covered by this final-form rulemaking. Section 129.51(a) provides an alternative method for owners and operators of facilities to achieve compliance with air emission limits.

The final-form rulemaking amends § 129.52 to clarify that the requirements and limits already specified in § 129.52 for paper coatings are superseded by the requirements and limits that will be adopted in this final-form rulemaking.

The final-form rulemaking adds § 129.52b to regulate VOC emissions from paper, film and foil surface coating processes.

Final-form subsection (a) establishes the applicability requirements.

Final-form subsection (b) explains that the requirements of § 129.52b supersede the requirements of a RACT permit already issued to the owner or operator of a source subject to § 129.52b, except to the extent the RACT permit contains more stringent requirements.

Final-form subsection (c) establishes VOC emission limits beginning January 1, 2012.

Final-form subsection (d) identifies daily records that must be kept to demonstrate compliance with § 129.52b.

The final-form rulemaking amends proposed subsection (e) to require that the records be maintained for 2 years unless a longer period is required by *25 Pa. Code* § 127.511(b)(2) (relating to monitoring and related recordkeeping and reporting requirements). Additionally, proposed subsection (e) has been amended at final to clarify that records shall be submitted to the Department upon receipt of a written request.

Final-form subsection (f) specifies coating application methods.

Final-form subsection (g) exempts certain small quantity coatings from the final-form VOC content coating limits.

Final-form subsection (h) establishes work practices that an owner or operator of a surface coating process subject to § 129.52b must comply with for cleaning materials.

The final-form rulemaking amends the applicability threshold of Table I (relating to emission limits of VOCs for paper, film and foil surface coatings). The amended title establishes emission limits for VOCs from affected processes if potential VOC emissions from a single line, prior to control, are 25 tons per year or more, expressed in weight of VOC per weight of coating solids, as applied.

The final-form rulemaking adds Table II (relating to emission limits of VOCs for Paper Coating if actual VOC emissions have exceeded 3 pounds per hour, 15 pounds per day or 2.7 tons per year in any year since January 1, 1987), expressed in weight of VOC per volume of coating solids, as applied. This table, along with the applicability criteria of § 129.52b(a)(2), were added to carry forward the previously regulated paper coating sources (in §129.52) that would fall between the applicability criteria of § 129.52b(a)(1) and (a)(3) and eliminate the potential for backsliding.

Affected Parties

The Commonwealth has approximately 15 paper, film or foil surface coating facilities potentially subject to the final-form rulemaking. These facilities emitted a total of 374 tons of VOC

emissions in 2009. The estimated total combined annual costs to the regulated industry of \$211,200 are negligible compared to the improved health and environmental benefits that would be gained from this final-form rulemaking.

Advisory Groups

The final-form rulemaking was discussed with the Air Quality Technical Advisory Committee (AQTAC) on June 17, 2010. The AQTAC concurred with the Department's recommendation to move the final-form rulemaking forward to the Board. The AQTAC letter of concurrence is included with the regulatory package. The Department also consulted with the Citizens Advisory Council on June 30, 2010, and with the Small Business Compliance Advisory Committee on July 28, 2010.

Public Comments Period and Board Hearings

The Environmental Quality Board approved publication of the proposed rulemaking at its meeting of September 15, 2009. The proposed rulemaking was published in the *Pennsylvania Bulletin* on November 7, 2009, with a 68-day public comment period (39 *Pa.B.* 6460). Three public hearings were held on December 9, 11 and 14, 2010, in Pittsburgh, Harrisburg and Norristown, PA, respectively. The public comment period closed on January 13, 2010.