

**Final-Form Rulemaking
Paper, Film and Foil
Surface Coating Processes
*25 Pa. Code § 129.52b***

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Commonwealth of Pennsylvania



Final-form Rulemaking: Paper, Film and Foil Surface Coating Processes

OVERVIEW

- The final-form rulemaking amends 25 *Pa. Code* § 121.1 (relating to definitions) to better define terms related to this rulemaking.
- The final-form regulation amends § 129.51(a) (relating to equivalency) to enable paper, film and foil surface coating processes covered by this final rulemaking to take advantage of alternative compliance opportunities.
- The final-form regulation amends § 129.52 (relating to surface coating processes) to clarify that the paper coating requirements of that section are being superseded by the requirements and limits in § 129.52b.
- The final-form rulemaking adds § 129.52b. The provisions include volatile organic compound (VOC) content limits for paper, film and foil coatings, work practices for coating-related activities and cleaning materials and also incorporates the existing § 129.52 limitations for paper coating.



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- The requirements in the final-form rulemaking are consistent with the Control Technique Guidelines (CTG) adopted by the U.S. Environmental Protection Agency in September 2007 for paper, film and foil coatings.
- This final rulemaking is reasonably necessary to attain and maintain the 8-hour ground-level ozone National Ambient Air Quality Standard in this Commonwealth. Exposure to ground-level ozone is a serious threat to public health and the environment.
- The final-form rulemaking will be effective upon publication in the *Pennsylvania Bulletin* as final rulemaking. The compliance date is January 1, 2012.



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SOURCES AFFECTED

- This rulemaking has three applicability thresholds:
 - The existing threshold for paper surface coating processes – actual VOC emissions greater than 3 pounds per hour, 15 pounds per day or 2.7 tons in any year since January 1, 1987;
 - Two new thresholds for paper, film or foil surface coating processes –
 - A single line that has the potential to emit 25 tons of VOC per year.
 - A process that has total actual VOC emissions before controls from all surface coating operations greater than or equal to 15 pounds per day or 2.7 tons per 12-month rolling period.
- Currently 15 paper, film and foil facilities have been identified as potentially affected by these amendments. The owners and operators of certain affected facilities may already be able to demonstrate compliance with the final rulemaking.



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COSTS AND BENEFITS

- The estimated annual costs for noncomplying facilities would be \$211,200.
- Based on information provided by the EPA in the CTG, the cost-effectiveness of reducing VOC emissions from paper, film and foil surface coating operations is approximately \$1,200 per ton of VOC reduced.
- These estimates are based on the use of a thermal oxidizer for add-on control.
- Compliance with the requirements may result in approximately 176 tons per year of VOC reductions, a 47% reduction from VOC emissions reported for the sector in 2009.

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RULEMAKING TIMETABLE

- The Board approved publication of the proposed rulemaking at its meeting of September 15, 2009.
- On November 7, 2009, the proposed rulemaking was published in the *Pennsylvania Bulletin* with a 68-day public comment period.
- Three public hearings were held on December 9, 11 and 14, 2009, in Pittsburgh, Harrisburg and Norristown, PA, respectively. The public comment period closed on January 13, 2010; no public comments were received by the Board.
- The Air Quality Technical Advisory Committee, on June 17, 2010, and the Citizens Advisory Council on July 30, 2010, submitted letters recommending Board action on the final-form regulation. The Department also consulted with the Small Business Compliance Advisory Committee on July 28, 2010, which took no action.
- The Independent Regulatory Review Commission submitted comments to the Board concerning the format for recordkeeping and the need for a written request from the Department for the submission of records to the Department.

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CHANGES FROM PROPOSED TO FINAL RULEMAKING

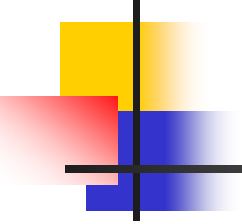
- Section 121.1 has been amended to better define the terms “coating” and “paper, film or foil coating” for purposes of this rulemaking.
- Section 129.52(j) was added to clarify that the paper coating requirements of that section are being superseded by the requirements and limits in § 129.52b.
- Most changes made to § 129.52b were to address EPA’s concerns that the rulemaking avoid backsliding from current emission limitations, since the existing rule and the final-form rulemaking have slightly different applicability categories and thresholds. The final-form rulemaking therefore incorporates appropriate elements from § 129.52 into § 129.52b, with additional changes to provide clarity and remove duplication.
- In addition to the changes to incorporate existing requirements, § 129.52b(e) has been amended to require that records be maintained for 2 years unless a longer period is required by Title V requirements in Chapter 127, and to expressly provide that records shall be submitted to the Department upon receipt of a written request.



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FINAL RULEMAKING RECOMMENDATIONS

- The Department recommends that the Board approve the final-form rulemaking for Paper, Film and Foil surface coating processes.
- The Department will submit the final-form rulemaking, if adopted, to the EPA for approval as a revision to the State Implementation Plan.
- Your consideration of this final-form rulemaking is greatly appreciated.



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