

Executive Summary

Amendments to 25 Pa. Code Chapter 129

Control of VOC Emissions from Large Appliance and Metal Furniture Surface Coating Operations

Purpose of the Final-form Rulemaking

The Department of Environmental Protection recommends final-form amendments to 25 Pa. Code 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 large appliance and metal furniture surface coating processes. The final amendments will add § 129.52a (relating to control of VOC emissions from large appliance and metal furniture surface coating processes) and amend §§ 129.51 and 129.52 (relating to 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 large appliance coatings and metal furniture coatings 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 emission requirements for large appliance and metal furniture surface coating operations is part of the Commonwealth's strategy, in concert with 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 23 tons per year of additional VOC emission reductions in Pennsylvania. The final-form rulemaking is reasonably necessary to attain and maintain the 8-hour ozone NAAQS throughout this Commonwealth and, if adopted as final regulation, will be submitted to the EPA as a revision to the SIP.

Summary of the Final-form Rulemaking

The final-form rulemaking amends § 129.51(a) to extend its coverage to large appliance and metal furniture 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 proposed new § 129.52(i) to clarify that the requirements and limits already specified in § 129.52 for large appliance and metal furniture coatings are superseded by the requirements and limits that will be adopted in this final-form rulemaking.

The final-form rulemaking adds § 129.52a to regulate VOC emissions from large appliance and metal furniture surface coating processes.

Final-form subsection (a) establishes that § 129.52a applies if the total actual VOC emissions from all surface coating operations, including related cleaning activities, at the facility are equal to or greater than 15 pounds (6.8 kilograms) per day or 2.7 tons (2,455 kilograms) per 12-month rolling period, before consideration of controls.

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

Final-form subsection (c) establishes VOC emission limits beginning January 1, 2011.

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

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 types of coatings and coating operations 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 § 129.52a must comply with for coating-related activities.

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

Final-form Table I (relating to emission limits of VOCs for large appliance surface coatings) establishes emission limits for VOCs for eight types of large appliance surface coatings, expressed in weight of VOC per volume of coating solids (kilograms per liter (kg/l) or pounds per gallon (lb/gal)), as applied.

Final-form Table II (relating to emission limits of VOCs for metal furniture surface coatings) establishes emission limits for VOCs for eight types of metal furniture surface coatings, expressed in weight of VOC per volume of coating solids (kg/l or lb/gal), as applied.

Certain emission limits in final-form Tables I and II have been amended at final to provide consistency in the number of significant figures for each limit, and to provide consistency with the limit in § 129.52.

Affected Parties

This Commonwealth has about 4 large appliance surface coating and about 16 metal furniture surface coating facilities potentially subject to the final-form rulemaking, which collectively emitted 68.5 tons of VOCs in 2008. The estimated total annual costs to the regulated industry of \$2,750 for large appliance surface coating operations and \$3,520 for metal furniture surface coating operations are negligible compared to the improved health and environmental benefits that will be gained from this final-form rulemaking.

Advisory Groups

The final-form rulemaking was discussed with the Air Quality Technical Advisory Committee (AQTAC, Committee) on April 29, 2010. The Committee voted 13-0-1 to concur 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 consulted with the Small Business Compliance Advisory Committee (SBCAC) on April 28, 2010. The SBCAC had no concerns. The Department consulted with the Citizens Advisory Council May 6, 2010.

Public Comment Period and Board Hearings

The Environmental Quality Board approved publication of the proposed rulemaking at its meeting of November 17, 2009. The proposed rulemaking was published in the *Pennsylvania Bulletin* on January 16, 2010, with a 66-day public comment period (40 *Pa.B.* 420). Three public hearings were held on February 16, 17 and 18, 2010, in Pittsburgh, Harrisburg and Norristown, PA, respectively. The public comment period closed on March 22, 2010.