



**Final Rulemaking for
Flat Wood Paneling
Surface Coating Processes
*25 Pa. Code § 129.52c***

Environmental Quality Board Meeting
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Commonwealth of Pennsylvania



Final-form Rulemaking: Flat Wood Paneling Surface Coating Processes

OVERVIEW

- The requirements in the final-form rulemaking are consistent with the Control Technique Guidelines (CTG) adopted by the U.S. Environmental Protection Agency (EPA) in September 2006 for flat wood paneling 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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OVERVIEW

- The final-form regulation amends certain sections of Title 25 of the *Pennsylvania Code*:
 - Section 121.1 (relating to definitions) includes terms and definitions related to this rulemaking.
 - Section 129.52c establishes volatile organic compound (VOC) content limits for five types of flat wood paneling surface coatings and work practices for coating-related activities and cleaning materials.
 - Section 129.66 (relating to compliance schedules and final compliance dates) establishes compliance schedules and deadlines for “newly subject sources” including surface coating operations such as large appliance and metal furniture, paper, film and foil and flat wood paneling.



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SOURCES AFFECTED

- This final rulemaking is applicable to the owner or operator of a flat wood paneling surface coating process that has total actual VOC emissions from all flat wood paneling surface coating operations, including cleaning materials, equal to or greater than 15 pounds per day, before consideration of controls.
- Currently, 10 flat wood paneling surface coating facilities have been identified as being potentially affected by these amendments. The owners and operators of certain affected facilities may already be able to demonstrate compliance with the final rulemaking.
- The rulemaking allows compliance options including the use of low VOC-content coatings, add-on controls, or a combination of complying coatings and add-on controls.
- Alternative compliance methods may be reviewed by EPA and approved by the Department; the alternative method must be incorporated in a plan approval or operating permit.



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COSTS AND BENEFITS

- Based on information provided by the EPA in the CTG, the cost-effectiveness of reducing VOC emissions from flat wood paneling surface coating operations is approximately \$1,900 to \$2,600 per ton of VOC reduced.
- These estimates are based on the use of compliant coatings.
- Compliance with the requirements may result in annual VOC reductions of approximately 5 tons for interior paneling to 21 tons for exterior siding coating operations; these projected emission reductions do not include VOC reductions for the largest flat wood paneling facility.
- VOC reductions for the largest VOC-emitting source range from approximately 5.3 to 9 tons per year for one potentially non-complying line. Total annual emission reductions for this source will vary depending on the compliance method.

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RULEMAKING TIMETABLE

- The Environmental Quality Board (Board) approved the proposed rulemaking on September 15, 2009.
- On October 17, 2009, the proposed rulemaking was published in the *Pennsylvania Bulletin* with a 66-day public comment period.
- Three public hearings were held on November 17, 19 and 20, 2009, in, Harrisburg, Norristown and Pittsburgh, PA, respectively. The public comment period closed on December 21, 2009.
 - One commentator, Craftmaster Manufacturing, Inc., submitted written comments and a one-page summary to the Board.
- The Independent Regulatory Review Commission (IRRC) submitted comments to the Board concerning the format for recordkeeping and the need for written requests for the submission of records to the Department. IRRC also provided additional comments reiterating certain comments submitted to the Board by CraftMaster.



MAJOR PUBLIC COMMENTS RECEIVED

- The final rulemaking should allow the use of a weighted average of the VOC content of all coatings used on a flat wood paneling product processed on an individual surface coating process line rather than have each individual coating meet the limit prescribed in the table.
- Additional costs associated with daily recordkeeping could be significant.
- This rule should allow requirements and methods that fulfill requirements under EPA's National Emission Standard for Hazardous Air Pollutants applicable to Wood Building Products to satisfy the requirements of this rulemaking.
- DEP should consider cost-effectiveness in a similar manner as done in a case-by-case evaluation.

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CHANGES FROM PROPOSED TO FINAL RULEMAKING

Following consultations with EPA and consideration of comments received during the public comment period, changes from proposed to final rulemaking are provided as follows:

- Definitions of the following terms were added to § 121.1 to provide clarity: “engineered wood panel product,” “flat wood paneling product” and “premium interior wall paneling product.”
- The final-form rulemaking amends § 129.52c (a)(1) to clarify where the exempted field applied coatings are regulated in the *Pa. Code*.
- The final-form rulemaking provides that the VOC content requirement for all materials used on a single process line may be met by using a daily, weighted-average approach. The final-form rulemaking also includes an equation for calculating the weighted average.

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CHANGES FROM PROPOSED TO FINAL RULEMAKING

- Records must be maintained for 2 years unless a longer period is required by 25 Pa. Code § 127.511(b)(2). The records must be submitted to the Department upon receipt of a written request.
- Three coating application methods were added to the list in subsection (f) for clarity: airless spray coating, air-assisted airless spray coating, and electrostatic coating.
- Amendments to § 129.66 extend the applicability of compliance schedules and deadlines for “newly subject sources” including flat wood paneling and other surface coating operations such as large appliance and metal furniture surface coating processes and the paper, film and foil surface coating processes.
 - Newly subject sources which exceed the VOC applicability threshold would have one year to comply with the applicable requirement.



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ADVISORY COMMITTEE REVIEW

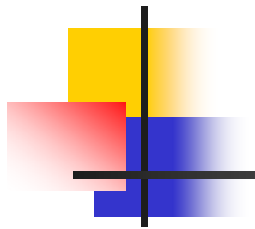
- June 17, 2010 – the Air Quality Technical Advisory Committee considered the final-form regulation and submitted a letter to the Board recommending final action on the final rulemaking.
- July 28, 2010 – the final-form regulation was discussed with the Small Business Compliance Advisory Committee who voted to concur with the Department's recommendation to present the final-form rulemaking to the Board.
- July 30, 2010 – the final rulemaking was also reviewed by the Citizens Advisory Council (CAC); the CAC also recommended Board action on the final-form regulation.



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FINAL RULEMAKING RECOMMENDATION

- The Department recommends that the Board approve the final-form rulemaking for Flat Wood Paneling 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.



pennsylvania

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