

## Executive Summary

### Amendments to 25 Pa. Code Chapter 129

#### **Control of VOC Emissions from Miscellaneous Metal Parts Surface Coating Processes, Miscellaneous Plastic Parts Surface Coating Processes and Pleasure Craft Surface Coatings**

The Department of Environmental Protection (Department) proposes to amend Chapter 129 (relating to standards for sources) to read as set forth in Annex A. The proposed rulemaking would add § 129.52d (relating to control of VOC emissions from miscellaneous metal parts surface coating processes, miscellaneous plastic parts surface coating processes and pleasure craft surface coatings) to adopt reasonably available control technology (RACT) requirements and RACT emission limitations for stationary sources of volatile organic compound (VOC) emissions from miscellaneous metal parts surface coating processes and miscellaneous plastic parts surface coating processes. The proposed rulemaking would also add terms and definitions to § 129.52d to support the interpretation of the proposed measures and amend §§ 129.51, 129.52, 129.67 and 129.75 to support the addition of § 129.52d.

The VOC emission reduction measures included in the 2008 Miscellaneous Metal and Plastic Parts Coatings Control Technique Guidelines issued by the U.S. Environmental Protection Agency (EPA) and in the proposed rulemaking are largely based on the hazardous air pollutant emission reduction measures of the Federal 2004 National Emission Standards for Hazardous Air Pollutants: Surface Coating of Miscellaneous Metal Parts and Products and the 2004 National Emission Standards for Hazardous Air Pollutants: Surface Coating of Plastic Parts and Products.

#### **Purpose of the Proposed Rulemaking**

State regulations to control VOC emissions from these sources are required under Federal law and will be reviewed by the EPA to determine if the provisions meet the RACT requirements of the Clean Air Act (CAA) and its implementing regulations. VOCs are precursors to the formation of ground-level ozone, a public health and welfare and environmental hazard.

The measures in the proposed rulemaking are reasonably necessary to attain and maintain the health- and welfare-based 8-hour ground-level ozone National Ambient Air Quality Standards and to satisfy related CAA requirements in this Commonwealth. This proposed rulemaking will be submitted to the EPA for approval as a revision to the Commonwealth's State Implementation Plan following promulgation of the final-form regulation.

#### **Summary of the Proposed Rulemaking**

The proposed rulemaking would add:

- § 129.52d(a) to establish applicability requirements for the owners and operators of a miscellaneous metal part surface coating process or miscellaneous plastic part surface coating process, or both.
- § 129.52d(b) to establish definitions to be used in this section.
- § 129.52d(c) to establish that the requirements of this section supersede the requirements of a RACT permit issued to the owner and operator of a source subject to subsection (a)

prior to January 1, 2016, except to the extent the RACT permit contains more stringent requirements.

- § 129.52d(d) to establish emission limitations beginning January 1, 2016.
- § 129.52d(e) to establish compliance and monitoring requirements.
- § 129.52d(f) to establish recordkeeping and reporting requirements.
- § 129.52d(g) to establish coating application methods.
- § 129.52d(h) to establish exempt coatings and exempt coating unit operations.
- § 129.52d(i) to establish work practice requirements for coating-related activities.
- § 129.52d(j) to establish work practice requirements for cleaning materials.
- § 129.52d(k) to establish requirements for measurements and calculations.

The proposed rulemaking would make minor clarifying changes to 25 Pa. Code §§ 129.51, 129.52, 129.67 and 129.75 to support the adoption of § 129.52d.

### **Affected Parties**

The proposed rulemaking would apply to the following: (1) the owner and operator of a facility that manufactures metal parts or products or plastic parts or products, including automotive and transportation plastic parts, business machine plastic parts, pleasure craft, or bodies or body parts for new heavier vehicles, on which subject surface coatings are applied; (2) the owner and operator of a separate coating line at an automobile and light-duty truck assembly coating facility, on which subject surface coatings are applied to other parts intended for use in new automobiles or new light-duty trucks or to aftermarket repair or replacement parts for automobiles or light-duty trucks; and (3) the owner and operator of a facility that applies subject coatings to the surfaces of metal parts or products, or plastic parts or products, on a contractual basis.

For two types of coating operations, the proposed rulemaking would provide an option for the owner or operator to elect to be regulated under § 129.52e (relating to control of VOC emissions from automobile and light-duty truck assembly surface coating operations and heavier vehicle coating operations) instead of under this proposed rulemaking. The two types of coating operations are: (1) coating of a body or body part for a new heavier vehicle at the facility; and (2) a separate coating line at an automobile and light-duty truck assembly coating facility on which coatings are applied to other parts intended for use in new automobiles or new light-duty trucks or to aftermarket repair or replacement parts for automobiles or light-duty trucks. The option to comply with § 129.52e is provided to allow these owners and operators flexibility in complying with their permit conditions or to optimize their operations.

The Department identified 160 facilities whose owners and operators may be subject to the proposed VOC emission reduction measures. The owners and operators of as many as 139 of these facilities may emit 2.7 tons or more of actual VOC emissions per 12-month rolling period threshold, including related cleaning activities and before consideration of controls, and would therefore likely be required to implement the proposed VOC emission control measures, work practice standards, and recordkeeping and reporting requirements. The owners and operators of the remaining 21 affected facilities with actual VOC emissions below the 2.7 tons per 12-month rolling period threshold, including related cleaning activities and before consideration of controls, would be subject only to the recordkeeping requirements and, if requested by the

Department, reporting requirements of the proposed rulemaking. It is possible that the owners and operators of additional facilities that have not been identified could be subject to the proposed rulemaking control measures.

Implementation of the recommended control measures could generate reductions of as much as 1,586 tons of VOC emissions per 12-month rolling period from the 139 facilities. The Department estimates that the range of cost effectiveness to the regulated industry for implementing the proposed rulemaking is \$920/ton VOC emissions reduced to \$1,758/ton reduced. The range of cost per regulated facility for implementing the proposed VOC emission control measures is estimated to be \$10,500 to \$20,000 per facility. The Department expects that the costs to the regulated industry will be at the lower end of these ranges because low-VOC content coating materials are likely to be readily available at a cost that is not significantly greater than the high-VOC content coatings they replace as a result of the development of NESHAP-compliant low-HAP content coating materials, since lower HAP content usually means lower VOC content.

### **Advisory Groups**

The Air Quality Technical Advisory Committee and the Small Business Compliance Advisory Committee were briefed on the proposed regulation on February 20, 2014, and April 23, 2014, respectively. Both committees voted unanimously to concur with the Department's recommendation to move the proposal forward to the Environmental Quality Board (Board) for consideration as proposed rulemaking. In addition, the proposed amendments were discussed with the Citizens Advisory Council (CAC) Policy and Regulatory Oversight Committee on March 12, 2014. On the recommendation of the Policy and Regulatory Oversight Committee, on March 18, 2014, the CAC concurred with the Department's recommendation to forward the proposed rulemaking to the Board.

### **Public Comments and Board Hearings**

The Department recommends a 60-day public comment period on the proposed rulemaking and an opportunity for three public hearings at DEP regional offices in Norristown, Harrisburg and Pittsburgh, PA.