

Executive Summary
Amendments to 25 Pa. Code Chapter 129
Control of VOC Emissions from Automobile and Light-Duty Truck Assembly Coating Operations and Heavier Vehicle Coating Operations

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 § 129.52e (relating to control of VOC emissions from automobile and light-duty truck assembly coating operations and heavier vehicle coating operations) to adopt reasonably available control technology (RACT) requirements and RACT emission limitations for the control of volatile organic compound (VOC) emissions from the source category. The proposed rulemaking would also amend § 129.51 (relating to general) to support the addition of § 129.52e.

Purpose of the Proposed Rulemaking

VOCs are precursors to the formation of ground-level ozone, a public health and welfare and environmental hazard. State regulations to control VOC emissions from automobile and light-duty truck assembly coating operations and heavier vehicle coating operations, as well as related cleaning activities, are required under Federal law. The measures in the proposed rulemaking are reasonably necessary to attain and maintain the health- and welfare-based 8-hour ozone National Ambient Air Quality Standards and to satisfy related CAA requirements in this Commonwealth. This proposed rulemaking will be submitted to the United States Environmental Protection Agency (EPA) for approval as a revision to the Commonwealth's State Implementation Plan (SIP) following promulgation of the final-form regulation. The final-form regulation will be approved by the EPA as a revision to the Commonwealth's SIP if the provisions meet the RACT requirements of the Clean Air Act (CAA) and its implementing regulations.

Summary of the Proposed Rulemaking

The proposed rulemaking would amend Chapter 129 by amending § 129.51 and adding a new section § 129.52e as follows:

- § 129.51(a) would be amended to extend its applicability to the owner and operator of a coating operation subject to § 129.52e. Section 129.51(a) provides for compliance through an alternative method.
- § 129.52e(a) to establish applicability requirements for the owners and operators of an automobile and light-duty truck assembly coating operation, and when elected, a heavier vehicle coating operation.
- § 129.52e(b) to establish definitions to be used in this section.
- § 129.52e(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 the date of adoption of this proposed rulemaking except to the extent the RACT permit contains more stringent requirements.
- § 129.52e(d) to establish VOC content limits.
- § 129.52e(e) to establish work practice requirements.
- § 129.52e(f) to establish compliance monitoring and recordkeeping requirements.
- § 129.52e(g) to establish measurement, calculation, sampling and testing methodologies.

Affected Parties

This proposed rulemaking would apply to the owner and operator of:

- An automobile and light-duty truck assembly coating operation that applies an automobile assembly coating or a light-duty truck assembly coating, or both, to a new automobile body or a new light-duty truck body; or a body part for a new automobile or for a new light-duty truck; or another part that is coated along with the new automobile body or body part or new light-duty truck body or body part.
- An automobile and light-duty truck assembly coating operation that operates a separate coating line at the facility on which a coating is applied to another part intended for use in a new automobile or new light-duty truck or an aftermarket repair or replacement part for an automobile or light-duty truck if the owner or operator elects to comply with this section instead of § 129.52d.
- A facility that coats a body or body part for new heavier vehicles if the owner or operator elects to comply with this section instead of § 129.52d.
- A facility that performs a coating operation subject to this section on a contractual basis.

Advisory Groups

The proposed rulemaking was discussed with the Air Quality Technical Advisory Committee (AQTAC) on April 3, 2014. The AQTAC voted unanimously to concur with the Department's recommendation to forward the proposed rulemaking to the Environmental Quality Board (Board) for consideration as a proposed rulemaking. The proposed rulemaking was discussed with the Small Business Compliance Advisory Committee (SBCAC) on April 23, 2014. The SBCAC voted unanimously to concur with the Department's recommendation to move the proposed rulemaking to the Board for consideration with a recommendation to consider flexibility for small businesses. The proposed rulemaking was discussed with the Citizens Advisory Council (CAC) Policy and Regulatory Oversight (PRO) Committee on May 6, 2014. On the recommendation of the PRO Committee of the CAC, on June 17, 2014, the CAC concurred with the Department's recommendation to forward the proposed rulemaking to the Board. Meetings of the advisory groups were advertised and open to the general public.

Public Comments and Board Hearings

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