



pennsylvania
DEPARTMENT OF ENVIRONMENTAL
PROTECTION

Bureau of Air Quality

**CONTROL OF
VOLATILE ORGANIC COMPOUND EMISSIONS
FROM
AUTOMOBILE AND LIGHT-DUTY TRUCK ASSEMBLY
COATING OPERATIONS AND HEAVIER VEHICLE
COATING OPERATIONS**

25 Pa. Code Chapter 129
45 Pa. B. 4351 (August 8, 2015)
Environmental Quality Board Regulation #7-490
(Independent Regulatory Review Commission #3110)

Comment and Response Document

Control of Volatile Organic Compound Emissions from Automobile and Light-Duty Truck Assembly Coating Operations and Heavier Vehicle Coating Operations

On August 8, 2015, the Environmental Quality Board (Board, EQB) published a *Pennsylvania Bulletin* notice of public hearings and written comment period on the proposed amendments to Chapter 129 (relating to standards for sources) for the control of volatile organic compound (VOC) emissions from automobile and light-duty truck assembly coating operations and heavier vehicle coating operations (45 *Pa.B.* 4351). The proposed rulemaking would primarily 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 VOC emission limitations and other requirements consistent with the reasonably available control technology (RACT) recommendations of the United States Environmental Protection Agency (EPA) 2008 Automobile and Light-Duty Truck Assembly Coatings Control Techniques Guidelines (CTG) for these sources in this Commonwealth. See *Consumer and Commercial Products, Group IV: Control Techniques Guidelines in Lieu of Regulations for Miscellaneous Metal Products Coatings, Plastic Parts Coatings, Auto and Light-Duty Truck Assembly Coatings, Fiberglass Boat Manufacturing Materials, and Miscellaneous Industrial Adhesives*, 73 FR 58481, 58483 (October 7, 2008). The EPA's CTG document, *Control Techniques Guidelines for Automobile and Light-Duty Truck Assembly Coatings*, EPA 453/R-08-006, Office of Air Quality Planning and Standards, EPA, September 2008, is available on the EPA's website at: www.epa.gov/airquality/ozonepollution/SIPToolkit/ctgs.html.

The comment period opened on August 8, 2015, and closed on October 13, 2015. Three public hearings were held on the proposed rulemaking as follows:

September 8, 2015 1:00 pm	Department of Environmental Protection Southeast Regional Office Schuylkill Conference Room 2 East Main Street Norristown, PA 19401
September 9, 2015 1:00 pm	Department of Environmental Protection Rachel Carson State Office Building Conference Room 105 400 Market Street Harrisburg, PA 17105
September 10, 2015 1:00 pm	Department of Environmental Protection Southwest Region Office Island Conference Room 400 Waterfront Drive Pittsburgh, PA 15222

This document summarizes the written comments received from the public during the public comment period. No written comments were received from the public for this proposed rulemaking. The Independent Regulatory Review Commission (IRRC) submitted written comments following the public comment period, which are summarized in this document. No written comments were received from the Senate or House Environmental Committees. No testimony was received during the public hearings. Each comment is listed with the identifying commentator number for each commentator that made the comment. A list of the commentators, including name and affiliation, can be found below.

The final-form regulation will be submitted to the EPA as a revision to the State Implementation Plan (SIP) upon final-form publication in the *Pennsylvania Bulletin*.

Copies of all comments received are posted on the IRRC web site at <http://www.irrc.state.pa.us>. Search by Regulation # 7-490 or IRRC # 3110.

Table of Commentators to the Environmental Quality Board

ID	Name/Address	Submitted One-Page Summary for distribution to EQB	Provided Testimony	Requested Copy of Final Rulemaking following EQB Action
1	Independent Regulatory Review Commission (IRRC) 333 Market Street, 14 th Floor Harrisburg, PA 17101	No	No	No

COMMENTS AND RESPONSES.

1. Comment: IRRC noted that the proposed rulemaking would establish a compliance date of January 1, 2016, and commented on the Board’s request for comments regarding a compliance date of May 1, 2016, or later. IRRC recommended that the EQB establish a compliance date that allows for the proper development of a final-form regulation and full compliance by the regulated community. (1)

Response: The Department agrees. DEP has changed the compliance date in the final rulemaking to January 1, 2017, as required under the EPA’s final rule pertaining to the *Implementation of the 2008 National Ambient Air Quality Standards for Ozone: State Implementation Plan Requirements* (80 FR 12279, March 6, 2015). The EPA stated that the RACT measures for the 2008 ozone National Ambient Air Quality Standard (NAAQS) must be implemented “as expeditiously as practicable, but no later than January 1 of the 5th year after the effective date of a nonattainment designation.” The nonattainment designations across the country were effective for the 2008 ozone NAAQS on July 20, 2012 (77 FR 30088, 30143, May 21, 2012). Consequently, RACT measures for the 2008 8-hour ozone standard must be implemented by January 1, 2017.

2. Comment: IRRC noted that the owner or operator of a separate coating line at an automobile and light-duty truck assembly coating facility, and the owner or operator of a facility that coats a body or body part for a new heavier vehicle, would have the option to elect to be regulated under this proposed rulemaking instead of the concurrently proposed rulemaking for the control of VOC emissions from miscellaneous metal parts surface coating processes, miscellaneous plastic parts surface coating processes and pleasure craft surface coatings (see EQB #7-491 or IRRC #3109). IRRC asked the Board to ensure that the two rulemakings are adopted on the same date. (1)

Response: The Department agrees. The Department intends to process and publish the two final rulemakings concurrently.