

Proposed Rulemaking  
Large Appliance and Metal Furniture  
Surface Coating Processes  
*25 Pa. Code* Section 129.52a

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Environmental Quality Board Meeting  
Harrisburg, PA  
November 17, 2009

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Waste, Air and Radiation Management  
Department of Environmental Protection  
Commonwealth of Pennsylvania



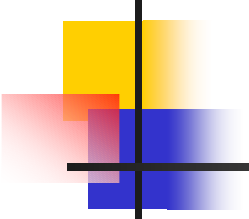
# Proposed Rulemaking

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### Background

- Section 183 (e)(3)(C) of the Clean Air Act authorizes the EPA to issue Control Technique Guidelines (CTGs) in place of a national regulation for a product category where the EPA determines that the CTG will be “substantially as effective as regulations” in reducing emissions of volatile organic compounds (VOC) in ozone nonattainment areas; VOCs are precursors to ground-level ozone formation.
- The Clean Air Act requires that states with ozone nonattainment areas classified moderate or above and all states in the Ozone Transport Region including Pennsylvania, submit a State Implementation Plan revision requiring implementation of “reasonably available control technology” (RACT) requirements for certain VOC-emitting sources covered by the EPA guidelines.
- The CTG provides states with the EPA’s recommendations of what constitutes RACT for the covered category.



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## **Federal and state initiatives:**

- There are no Federal statutory or regulatory requirements for large appliance or metal furniture surface coating processes. EPA did issue earlier CTGs for these categories in 1978 which are the basis for the existing standards in Section 129.52.
- The requirements in the proposed rulemaking are consistent with the recommendations of the EPA in the 2007 CTGs for large appliance coatings and metal furniture coatings.
- All states in the OTR that have large appliance or metal furniture coating operations are required to implement RACT or equivalent control measures. Pennsylvania will not be at a disadvantage with the other states in the OTR or with those other states required to implement RACT measures.



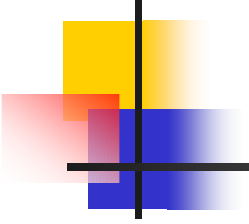
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### **Purpose of rulemaking:**

- This rulemaking is reasonably necessary to attain and maintain the health- and welfare-based 8-hour ground-level ozone National Ambient Air Quality Standard in this Commonwealth.
- Exposure to ground-level ozone is a serious human and animal health and welfare threat, causing respiratory illnesses and decreased lung function, agricultural crop loss, visible foliar injury to sensitive plant species, and damage to forests, ecosystems and infrastructure.



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## Provisions:

- The proposed rulemaking amends 25 *Pa. Code* Section 129.51(a) to extend its applicability to large appliance and metal furniture surface coating processes covered by this proposed Section 129.52a. Section 129.51(a) provides an alternative method for owners and operators of facilities to achieve compliance with air emission limits.
- The proposed rulemaking adds 25 *Pa. Code* Section 129.52a (relating to control of VOC emissions from large appliance and metal furniture surface coating processes). The provisions include VOC content limits for coatings and work practices for coating-related activities and cleaning materials.



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## **Applicability:**

The proposed new *25 Pa. Code* Section 129.52a will apply to:

- The owner and operator of a large appliance or metal furniture surface coating process if the total actual VOC emissions from all large appliance or metal furniture surface coating operations, including related cleaning activities, at the facility are equal to or greater than 15 pounds per day or 2.7 tons per 12-month rolling period, before consideration of controls.



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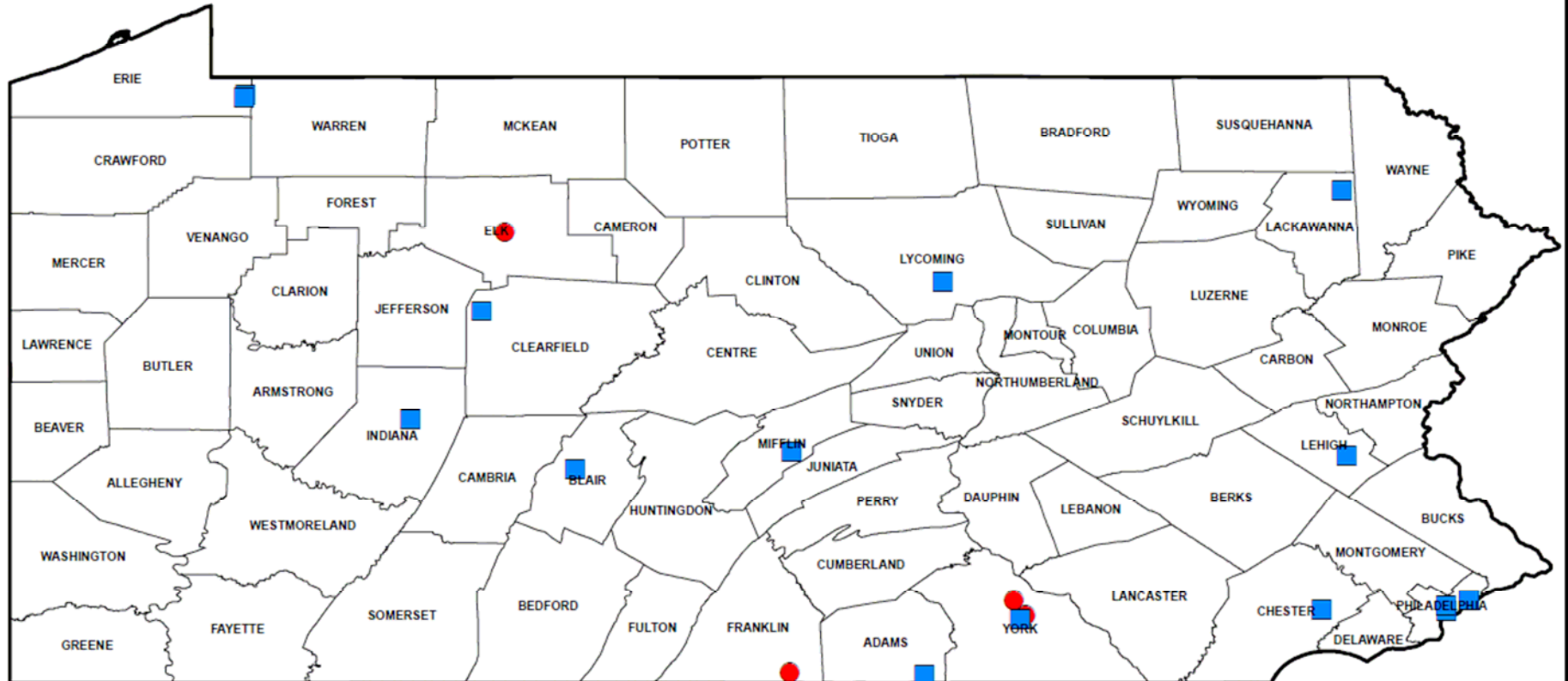
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## **Expected results:**

- The proposed rulemaking will affect approximately 4 large appliance facilities and 16 metal furniture facilities; however, some are already in compliance with the proposed measures.
- The proposed rulemaking will provide:
  - Approximately 5.5 tons per year of VOC reductions from large appliance surface coating operations; a 30% reduction from the 18.2 tons of VOC emissions reported in 2008.
  - Approximately 17.6 tons per year of VOC reductions from metal furniture surface coating operations; a 35% reduction from the 50.3 tons of VOC emissions reported in 2008.

# Large Appliance and Metal Furniture Facilities

Which Are Potentially Affected By Proposed Rulemaking



## Coating Facility Type

● Large Appliance (4)

■ Metal Furniture (16)





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### **Costs to the regulated community:**

- Based on information provided by the EPA in the CTG, the cost-effectiveness of reducing VOC emissions from these sources is estimated to be:
  - \$500 per ton of VOC reduced for large appliance surface coating operations.
  - \$200 per ton of VOC reduced for metal furniture surface coating operations.
  
- These estimates are based on the use of low VOC-content coatings for control.
  
- Estimated annual costs to noncomplying facilities would be:
  - \$2750 for large appliance operations
  - \$3520 for metal furniture operations



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## **Compliance and Enforcement:**

- The proposal will be effective upon publication in the *Pennsylvania Bulletin* as a final rulemaking.
- January 1, 2011, is the proposed compliance date for all provisions of the proposed rulemaking.
- Compliance options include the use of low VOC-content coatings, add-on controls, or a combination of complying coatings and add-on controls.
- Work practices for coating-related activities and cleaning materials include using closed containers and minimizing spills.



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## **Advisory Committee Review:**

- The Air Quality Technical Advisory Committee reviewed the proposed rulemaking on May 28, 2009, and concurred unanimously with the Department's recommendation to present the proposal to the Board.
- The Citizens Advisory Council reviewed the proposal on July 21, 2009.
- An overview of the proposal was presented to the Small Business Compliance Advisory Committee on October 22, 2008, and April 22, 2009. The proposed regulation was reviewed by the Small Business Compliance Advisory Committee on July 22, 2009.

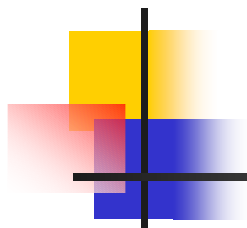


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## **Recommended Public Participation:**

- The Department recommends a 60-day public comment period and three public hearings on the proposed rulemaking.
- If adopted as a final-form regulation, a revision to the State Implementation Plan will be submitted to the EPA.



**pennsylvania**

DEPARTMENT OF ENVIRONMENTAL PROTECTION



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