

Executive Summary
Amendments to 25 Pa. Code Chapter 129
Control of VOC Emissions from Fiberglass Boat Manufacturing Materials

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 § 129.74 (relating to control of VOC emissions from fiberglass boat manufacturing materials) to adopt reasonably available control technology (RACT) requirements and RACT emission limitations for stationary sources of volatile organic compound (VOC) emissions from fiberglass boat manufacturing materials. The proposed rulemaking would also add terms and definitions to § 129.74 to support the interpretation of the proposed measures.

Purpose of the Proposed Rulemaking

State regulations to control VOC emissions from fiberglass boat manufacturing materials are required under Federal law and will be reviewed and approved by the United States Environmental Protection Agency (EPA) if the provisions meet the RACT requirements of the Clean Air Act (CAA) and its implementing regulations. The VOC emission reduction measures included in the 2008 Fiberglass Boat Manufacturing Materials Control Technique Guidelines (CTG) and in the proposed rulemaking are based on the hazardous air pollutant (HAP) emission reduction measures of the 2001 National Emission Standards for Hazardous Air Pollutants (2001 NESHAP) for Boat Manufacturing.

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 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 (SIP) following promulgation of the final-form regulation.

Summary of the Proposed Rulemaking

The proposed rulemaking would amend Chapter 129 by adding new sections as follows:

- § 129.74(a) to establish applicability requirements for the owners and operators of a fiberglass boat manufacturing facility.
- § 129.74(b) to establish definitions to be used in this section.
- § 129.74(c) to establish exceptions for certain operating circumstances.
- § 129.74(d) 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.
- § 129.74(e) to establish a compliance deadline.
- § 129.74(f) to establish emission limits.
- § 129.74(g) to establish requirements for a VOC emissions capture system and add-on air pollution control device.

- § 129.74(h) to establish emission limits for filled production resins and filled tooling resins.
- § 129.74(i) to establish monomer VOC control requirement for certain resin and gel coat materials not included in an emissions averaging option.
- § 129.74(j) to establish alternative requirements for control of monomer VOC content for certain resin and gel coat materials.
- § 129.74(k) to establish work practices for resin and gel coat materials.
- § 129.74(l) to establish VOC content limits and work practices for cleaning materials.
- § 129.74(m) to establish compliance and monitoring requirements.
- § 129.74(n) to establish sampling and testing requirements.
- § 129.74(o) to establish recordkeeping requirements.
- § 129.74(p) to establish reporting requirements.

Affected Parties

This proposed rulemaking would apply to the owner and operator of fiberglass boat manufacturing facilities. The DEP is currently aware of one Title V facility in this Commonwealth that would be subject to the proposed RACT requirements. The facility, VEC Technology, LLC, located at 639 Keystone Rd, Greenville, PA 16125, is a major source of hazardous air pollutants (HAP) regulated under the EPA's 2001 National Emission Standards for Hazardous Air Pollutants (NESHAP) for Boat Manufacturing. The Department believes that no additional VOC emission reductions would be achieved at this facility due to compliance with the 2001 NESHAP for this sector. Therefore, there would be no additional costs to the owner and operator of this source by demonstrating compliance with this proposed rulemaking.

If the proposed rulemaking would apply to the owners and operators of other fiberglass boat manufacturing facilities that have not yet been identified, they would likely incur little, if any, cost to implement the proposed requirements. Compliant materials are readily available to the owners and operators of all sizes of facilities and are widely used in the industry.

Advisory Groups

The Air Quality Technical Advisory Committee (AQTAC) was briefed on the proposed regulation on December 12, 2013. AQTAC voted unanimously to concur with the Department's recommendation to move the proposal forward to the Board for consideration as proposed rulemaking. In addition, the proposed amendments will be discussed with the Citizens Advisory Council (CAC) Policy and Regulatory Oversight Committee in March 2014. The draft proposed rulemaking will be discussed with the Small Business Compliance Advisory Committee (SBCAC) in April 2014. Letters of concurrence from the CAC and SBCAC will be forwarded when available.

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.