

CARDONE[®]

April 8, 1999

CARDONE Industries would like to submit the following comment on the Proposed Rulemaking for Surface Coating Processes (25 PA 129.52), as published in the 3/6/99 PA Bulletin. We also request that this also be used as our summary document for distribution to the Environmental Quality Board for their consideration.

25 PA 129.52 (c) states that a facility must maintain records sufficient to demonstrate compliance with this section, and then proceeds to list the minimum records which must be kept in order to achieve this goal. While for many sources the records listed in 25 PA 129.52 (c) may be necessary and reasonable to demonstrate compliance, for other processes these records are burdensome, costly to implement, and do not provide information useful in demonstrating compliance with the surface coating regulations.

For a manufacturer which uses compliant coatings as they are supplied (no additives), and has accurate purchase and issue records, the requirement to keep daily records does not aid in the demonstration of compliance. The coating used already complies with all other applicable sections of this rule, and emissions on an annual (or quarterly) basis are more accurately determined using the purchase and/or issue records.

CARDONE Industries requests that a provision for approval of alternate recordkeeping be implemented. As an example, the following wording could be inserted into the rule as 25 PA 129.52 (c)(4):

Surface coating processes which solely use compliant coatings as supplied by the manufacturer may propose to the Department alternate records to be kept which will demonstrate compliance with this section, other than those specified above. The Department may approve the request if it is demonstrated to the Department's satisfaction that the alternate records are at least as effective in documenting that the source is in compliance with this section, and that accurate records are kept for emission statement purposes.

Thank you for your consideration. If you have any questions on this comment please contact me at (215) 912-3622

Sincerely,



Richard Gudz
Waste Stream Manager, Safety and Environmental Engineering Department



CARDONE Industries, Inc. • World Headquarters • 5501 Whitaker Avenue • Philadelphia, PA 19124-1799
Telephone: 215.912.3000 • facsimile: 215.912.3700 • Web Site: www.cardoneonline.com

Enlosure

U.S. EPA Region III Comments to Pennsylvania's Proposed Rulemaking for Section 129.52 Surface Coating Processes

- 1) Regarding 129.52(b)(1)(i) -For clarification purposes, it should be specified that this section applies to coating operations (such as spray, rotating head, electrodeposition, flow coat etc.) where solvent is not being added to the coating prior to application. Since this section does not apply to dip coating processes, it is not clear whether or not the 30 day rolling average applies or if compliance is to be determined on an Ainstantaneous@ basis.
- 2) Regarding 129.52 (b) (1) (i) and (ii) - These sections are used to calculate weight VOC per volume of coating solids (lbs VOC/gal ctg solids) with (ii) being the dip coating operation. Our comment would be to combine the two into one section for determining compliance on a gallon coating solids basis (SURFACE COATING LIMIT SEE TABLE). Within this section, dip coating equations can then be specifically addressed and calculated on the 30 day rolling average. This would make the regulation clear and allow for dip coating operations.
- 3) Regarding 129.52(b)(1)(iii) - Since the units of VOC(B) are expressed in lb VOC'per lb of coating solids, it appears that this section applies to wood coating processes. If so, this should be indicated. Since this section does not apply to dip coating processes, it is not clear whether or not the 30 day rolling average applies or if compliance is to be determined on an Ainstantaneous@ basis.
- 4) Regarding 129.52 (b) (1) (iii) and (iv) - -These sections are used to calculate weight VOC per weight of coating solids (lbs VOC/lbs ctg solids) with (iv) being the wood furniture dip coating operation. Our comment would be to combine the two into one section for determining compliance on a weight coating solids basis (SURFACE COATING LIMIT SEE TABLE). Within this section dip coating equations can then be specifically addressed and calculated on the 30 day rolling average. It seems redundant to make any reference to wood furniture in these sections as the section of the table that would apply to the calculation would in effect take care of that reference. This would make the regulation clear and allow for dip coating operations. In summary there would be two sections each containing dip coating language meeting the surface coating limits on either a volume basis or a weight basis.
- 5) Our only other comment is that the regulation makes reference to the limits being "VOC content of each coating as applied is equal to or less than the standard specified in Table I." If this is an "as applied" standard shouldn't transfer efficiencies have to be taken into account. We did not see any reference about transfer efficiencies.



Pennsylvania Department of Environmental Protection

Rachel Carson State Office Building
P.O. Box 2063
Harrisburg, PA 17105-2063
January 19, 2000

The Secretary

717-787-2814

Mr. Robert E. Nyce
Executive Director
Independent Regulatory Review Commission
14th Floor, Harristown II
Harrisburg, PA 17101

RE: Final Rulemaking – Surface Coating Processes and Wood Furniture
Manufacturing Operations (RBI #4) (#7-339)

Dear Bob:

Pursuant to Section 5.1(a) of the Regulatory Review Act, enclosed is a copy of a final-form regulation for review by the Commission. This rulemaking was approved by the Environmental Quality Board (EQB) for final rulemaking on December 21, 1999.

This final rulemaking amends the existing metal parts and wood cabinet and furniture finishing surface coating regulations and adds provisions for wood furniture manufacturing operations consistent with EPA's Control Techniques Guidance (CTG). Chapter 121 amendments include new and revised definitions. Revisions to Chapter 129 involve changing the surface coating volatile organic compound (VOC) emission limits from a "pounds of VOC per gallon of coating" basis to a "pounds of VOC per gallon of coating solids" basis and the addition of averaging provisions for dip coating processes. A minor revision to Chapter 139 clarifies the testing requirements for finishing materials.

The proposed rulemaking was published on March 6, 1999, with a 66-day public comment period and four public hearings. There were 14 commentators to the proposal. The final rulemaking has been changed, where appropriate, to address many of the comments. There was wide support for changing the surface coating emission limits. A major concern is whether affected wood furniture facilities will still need to comply with the existing wood finishing requirements in addition to the CTG-based requirements. DEP believes that retaining the existing requirements for these facilities helps to ensure compliance and that the VOC reductions will be achieved.

The Air Quality Technical Advisory Committee supported the draft final rulemaking at its August 23, 1999, meeting. DEP also discussed the revisions with the Small Business Assistance Program Compliance Advisory Committee. If approved, the amendments will be submitted to EPA as a State Implementation Plan (SIP) revision.

Mr. Robert E. Nyce

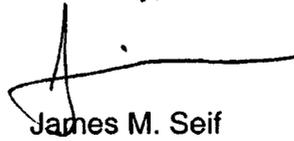
- 2 -

January 19, 2000

The Department will provide the Commission with any assistance required to facilitate a thorough review of this final-form regulation. Section 5.1(e) of the Act provides that the Commission shall, within ten days after the expiration of the committee review period, approve or disapprove the final-form regulation.

For additional information, please contact Sharon Freeman, Regulatory Coordinator, at 783-1303.

Sincerely,

A handwritten signature in black ink, appearing to read "James M. Seif". The signature is stylized with a long horizontal stroke extending to the right.

James M. Seif
Secretary

Enclosure

TRANSMITTAL SHEET FOR REGULATIONS SUBJECT TO THE
REGULATORY REVIEW ACT

RECEIVED

I.D. NUMBER: 7-339
SUBJECT: Surface Coating Processes (RBI #4)
AGENCY: DEPARTMENT OF ENVIRONMENTAL PROTECTION

2000 JAN 19 PM 3:14

INDEPENDENT REGULATORY
REVIEW COMMISSION

TYPE OF REGULATION

Proposed Regulation

x Final Regulation

Final Regulation with Notice of Proposed Rulemaking Omitted

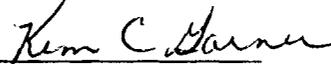
120-day Emergency Certification of the Attorney General

120-day Emergency Certification of the Governor

Delivery of Tolled Regulation

a. With Revisions b. Without Revisions

FILING OF REGULATION

DATE	SIGNATURE	DESIGNATION
1/19		HOUSE COMMITTEE ON ENVIRONMENTAL RESOURCES & ENERGY
1-19-00		SENATE COMMITTEE ON ENVIRONMENTAL RESOURCES & ENERGY
1/19/00		INDEPENDENT REGULATORY REVIEW COMMISSION
		ATTORNEY GENERAL
		LEGISLATIVE REFERENCE BUREAU

December 30, 1999



RECEIVED
99 APR -9 PM 1:51



April 1, 1999

Environmental Quality Board
PO Box 8477
Harrisburg, PA 17105-8477

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Dear Board Members;

I want to thank you for the opportunity to comment on the proposed changes to the Surface Coating Rules, 25 PA. CODE CHS. 121, 129, AND 139. In general, my company, Yorktowne Inc., is in support of the revision as published in the March 6, 1999 Pennsylvania Bulletin. The Kitchen Cabinet Manufacturers Association, our national organization, was one of the participants in the EPA REGNEG process that developed the presumptive RACT for the Wood Furniture Industry.

Relative to question 1 posed by the Department, we believe a wood furniture manufacturer, subject to the provisions of this statute, should have to comply with the proposed presumptive RACT requirements of 129.101-129.107 only. Clearly it was the intent of Industry and the EPA to develop a standard that would apply nationally and level the playing field. Applying 129.52 in addition to the presumptive RACT will put Pennsylvania manufacturers at a competitive disadvantage. In addition the values and definitions used in 129.52, for similar materials, differ from the presumptive RACT. This will surely cause confusion.

Concerning the second question posed by the Department, we indorse the adoption of the MACT requirements that were developed during the EPA REGNEG. As stated previously, these negotiated provisions, were to be applied nationally to level the competitive playing field. We also suggest that the presumptive RACT as written, should include these MACT requirements. Having both components as part on one statute minimizes confusion and provides a clearer understanding of how the two requirements overlap.

Again, thank you for the opportunity to comment on these revisions.

Best Regards,

Charles W. Taylor
Manager of Purchasing



CORPORATE HEADQUARTERS
100 REDCO AVENUE • P.O. BOX 231 • RED LION, PA 17356-0231
TELEPHONE 717/244-4011 • FAX 717/244-5497

Additional Comments on Amendments to Surface Coating Regulations and Presumptive RACT Standards for Furniture and Cabinet Manufacturing

99 MAY 14 PM 1:24

Michael E. Ludecker, P.E.

Manager of Safety and Environmental Services

Wood Mode Inc.

May 5, 1999

Original: 2007

Harbison

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These comments will expand on testimony given at the Public Hearing on these matters held April 7, 1999. The comments will largely focus on the relationship of the issues in question to Executive Order 1996-1, which was adopted by DEP as the Regulatory Basics Initiative.

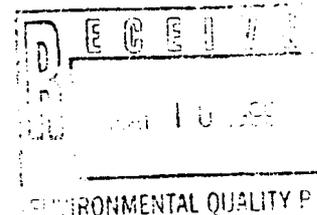
The first issue to be addressed is the question of whether both 129.52 and the presumptive RACT requirements should apply to manufacturers with the potential to emit of 25 tons of VOC's or more. It should be noted that with the broad definition of "potential to emit", even some very small manufacturers fall into this category. The EPA has determined an appropriate level of control for the furniture and cabinet industries and issued these standards to the states in the form of Control Technique Guidelines or CTGs'. These CTG's are being adopted as Presumptive RACT for our industry as sections 129.101-129.107 of the proposed regulations. The CTG's, issued in April of 1996 by the EPA, have been adopted as presumptive RACT by all the major states with which we compete.

To require manufacturers to adhere to two different and often conflicting sets of surface coating regulations clearly contravenes the Regulatory Basics Initiative. It places extra restrictions on manufacturing processes (above the federal CTG's), is difficult to understand, is largely redundant, and requires excessive recordkeeping and reporting. It also places Pennsylvania at a competitive disadvantage with other furniture and cabinet manufacturing states. And as I demonstrated in my testimony of 4/7/99, will lead to insignificant emissions reductions.

The additional restrictions found in 129.52 include solids content limits on the categories "washcoat" and "all other coatings". The EPA found that it was not necessary to create minimum solids limits on these categories because they were not film building materials and the addition of solids will not result in decreased material consumption. These restrictions do, however, place additional burdens on manufacturers which are unnecessary and violate Executive Order 1996-1.

Compliance with the two sets of regulations will be confusing for manufacturers because of the many subtle differences between them. Some examples of this are the very different definitions of "clear topcoat" and "topcoat", and "final repair coat" and "touch up and repair coatings" found in 129.52 and 129.101-129.107 respectively. There are also subtle but important differences in the application equipment requirements and recordkeeping requirements.

The regulations are redundant in that every major component of Section 129.52 is also found in 129.101-129.107. They both have material VOC content limits, application equipment requirements, and recordkeeping and reporting obligations.



The second issue I would like to address is found in section 129.102 (3) of the proposed regulations. This is a requirement that manufacturers using a control system achieve emissions equivalent to .8 lbs of VOC's/lb coating solids for topcoats and 1.9 lbs VOC's/lb coating solids for sealers. The federal standard is 1.8 lbs VOC's/lb solids for topcoats and 1.9 lbs VOC's/lb solids for sealers. It is violation of Executive Order 1996-1 to tighten this limit. There is no clear public interest served by doing so and will only discourage manufacturers from installing control systems in the future

We would also like to provide additional comment on section 129.52 (f) regarding application equipment requirements. This section is essentially the same as section 129.103 (g) of the proposed regulations, except that section 129.103 (g) contains a number of additional exemptions. These exemptions came from the federal CTG standard and should be reflected in 129.52 (f). If these exemptions are not included, a violation of Executive Order 1996-1, sections 1.371 (5) and (9) would result.

Lastly, we would like to again address the issue of the relationship between the proposed presumptive RACT standards and the existing Case by Case RACT regulations, 129.91-129.94, as they are being implemented in the industry. Operating permits based on Case buy Case RACT determinations are being issued statewide. None of these RACT determinations have SIP approval at the time the permits are issued. SIP approval is taking years to complete. It is very likely that the new Presumptive RACT regulations will be issued prior to many furniture and cabinet RACT determinations getting SIP approved. In theory this means that the presumptive RACT regulations should apply and the Case by Case RACT should not apply. It is not clear how the existing Case by Case RACT based permits will be handled. If they are not rescinded, than both Case by Case and Presumptive RACT will apply. This is a clear violation of Executive Order 1996-1.

In the case of Wood Mode, Inc., the case by case RACT will result in costs totaling several hundred thousand dollars over the first two years. These costs are unnecessary with the federal based Presumptive RACT. Wood Mode will be forced to expend a great deal of this money not knowing if Case by Case RACT or Presumptive RACT will ultimately prevail. If the presumptive RACT regulations are issued first, the resources spent on compliance with Case by Case RACT will be wasted. In addition, the excessive requirements placed on manufacturers by the Case by Case RACT process places Pennsylvania manufacturers at a severe competitive disadvantage with respect to manufacturers in competing states.

We again request that the issuance of Case by Case RACT based permits be halted until the Presumptive RACT regulations are in place. Manufacturers with Case by Case operating permits should be given the choice of keeping their permits or complying with the new Presumptive RACT.

Please feel free to call me with any questions regarding these comments. I can be reached at (570) 374-2711. Once again, thank you for this opportunity to participate in the rule making process.



p.o. box 8477 • harrisburg, pa. 17105-8477 • (717)787-4526

Environmental Quality Board

May 6, 1999

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Original in File

Mr. Robert E. Nyce, Executive Director
Independent Regulatory Review Commission
14th Floor, Harrisstown #2
333 Market Street
Harrisburg, PA 17120

RECEIVED
99 MAY -7 PM 1:26
INDEPENDENT REGULATORY REVIEW COMMISSION

RE: Proposed Surface Coating Processes (RBI #4) (#7-339)

Dear Mr. Nyce:

Enclosed are copies of the official verbatim transcripts for the public hearings the Environmental Quality Board recently held on the proposed surface coating processes regulations.

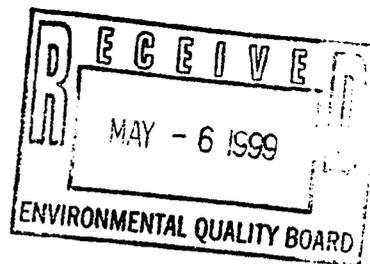
If you have any questions, please call me.

Sincerely,

Sharon K. Freeman
Regulatory Coordinator

Enclosures


**PENNSYLVANIA
HOUSE**



May 5, 1999
Environmental Quality Board
PO Box 8477
Harrisburg, PA 17105-8477

Original: 2007
Harbison
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Legal

99 MAY 14 PM 1:24
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ENVIRONMENTAL QUALITY BOARD

Subject: Proposed rulemaking (25 PA Code, chapters 121, 129 & 139) Surface Coating Processes (RBI #4)

Dear: Environmental Quality Board

The following comments are being submitted regarding the proposed amendments to 25 PA Code, chapters 121, 129 & 139. Following are our comments:

1. Regarding the discussion of proposed 129.103 "The coatings must also be applied after the stain and before another type coating..." on page 1302: the word "must" should be changed to "may".
2. Regarding definition 121.1 "enamel": the definition of "enamel" conflicts with the definition of "opaque ground coats and enamels" in 25 PA Code, chapter 121.1 and creates confusion.
3. Regarding definition 121.1 "stain": the definition of "stain" conflicts with the definition of "other coating" in 25 PA Code, chapter 121.1 which also includes some of the same coatings.
4. Regarding definition 121.1 "topcoat": the definition should include "multiple layers of a substrate."
5. Regarding 129.52 Table I "Allowable VOC Content" 11 (e): the category "all other coatings" should be changed to "other coatings" to match the defined term.
6. Regarding 129.52 Table I, 11: the new definition "stain" is not listed. Therefore, we are assuming that "stains" do not have an allowable VOC content limit.
7. Regarding the definitions and 129.52 Table I, 11: the coatings normally called "wiping stains" or "Glaze" are not defined nor are they listed in Table I. Therefore, we are assuming that these coatings do not have an allowable VOC content limit.
8. Regarding 129.102 "Emission standards" (3): there appears to be a typographical error. The "0.8 lb VOC/lb solids for topcoats" should be changed to "1.8 lb VOC/lb solids for topcoats.
9. Regarding "Work Practice Standards" 129.103.d "Cleaning & Washoff solvent accounting system" paragraph (3): the definition of "net quantity of spent solvent" is confusing and needs to be clarified.
10. Regarding 129.106 "Reporting requirements" (b): the initial compliance report date should coincide with the compliance dates for EPA MACT reporting to limit unnecessary

- reporting burdens.
11. Regarding 129.106 "Reporting requirements" (c): The semiannual compliance report dates should coincide with the compliance dates for EPA MACT reporting to limit unnecessary reporting burdens.
 12. Regarding the Departments specific issue (1) on page 1305: the Department should not require compliance with both 129.52 and the proposed presumptive RACT requirements in 129.101 – 129.107. Compliance with both standards will place an unnecessary burden on facilities with emissions or potential to emit VOC's of 25 tons per year.
 13. Regarding the Departments specific issue (2) on page 1305: the Department should not adopt the reporting requirements in 40 CFR 63.7 – 63.10. These standards should be reserved until the state develops its own MACT requirements.

If you should have any questions, please call Bob Varney at (570) 523-2356.

Sincerely,

Robert J. Varney
Sr. Project/Plant Engineer

**Additional Comments on Amendments to Surface Coating Regulations and
Presumptive RACT Standards for Furniture and Cabinet Manufacturing**

Michael E. Ludecker, P.E.

Manager of Safety and Environmental Services

Wood Mode Inc.

May 5, 1999

ORIGINAL: 2007

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Sandusky, Legal

These comments will expand on testimony given at the Public Hearing on these matters held April 7, 1999. The comments will largely focus on the relationship of the issues in question to Executive Order 1996-1, which was adopted by DEP as the Regulatory Basics Initiative.

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The additional restrictions found in 129.52 include solids content limits on the categories "washcoat" and "all other coatings". The EPA found that it was not necessary to create minimum solids limits on these categories because they were not film building materials and the addition of solids will not result in decreased material consumption. These restrictions do, however, place additional burdens on manufacturers which are unnecessary and violate Executive Order 1996-1.

Compliance with the two sets of regulations will be confusing for manufacturers because of the many subtle differences between them. Some examples of this are the very different definitions of "clear topcoat" and "topcoat", and "final repair coat" and "touch up and repair coatings" found in 129.52 and 129.101-129.107 respectively. There are also subtle but important differences in the application equipment requirements and recordkeeping requirements.

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ENVIRONMENTAL
HEALTH DIVISION

The second issue I would like to address is found in section 129.102 (3) of the proposed regulations. This is a requirement that manufacturers using a control system achieve emissions equivalent to .8 lbs of VOC's/lb coating solids for topcoats and 1.9 lbs VOC's/lb coating solids for sealers. The federal standard is 1.8 lbs VOC's/lb solids for topcoats and 1.9 lbs VOC's/lb solids for sealers. It is violation of Executive Order 1996-1 to tighten this limit. There is no clear public interest served by doing so and will only discourage manufacturers from installing control systems in the future

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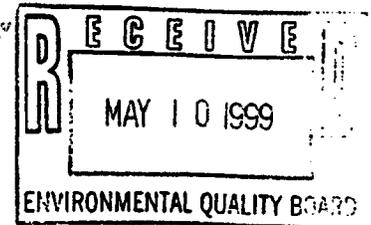
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Please feel free to call me with any questions regarding these comments. I can be reached at (570) 374-2711. Once again, thank you for this opportunity to participate in the rule making process.

ORIGINAL: 2007/HARBISON
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Mr. Terry Black
Chief, Regulation and Policy Development Section
Division of Compliance and Enforcement
Bureau of Air Quality
Rachel Carson State Office Building, 12th Floor
P.O. Box 8468
Harrisburg, PA 17105-8468

99 MAY 14 PM 1:27



Re: Notice of Proposed Rulemaking, 25 Pa. Code Chapters 123 and 145 (Interstate Ozone Transport Reduction)

Dear Mr. Black:

We are writing concerning the Environmental Quality Board's proposed amendments to 25 Pa. Code §§121, 129 and 139 (relating to general provisions, standards for sources and sampling and testing methods and procedures). The proposed rule will establish procedures for determining compliance with volatile organic compound (VOC) emission limits for the surface coating processes in §129.52. These amendments include:

- an averaging approach for evaluating VOC emissions from diptanks;
- an exemption for small quantities of coatings; and
- a revision of the existing Table I to express VOC emission standards in surface coating processes in volume-solids-based and weight-solids-based emission limits.

The amendments also establish presumptive reasonably available control technology (RACT) requirements for wood furniture manufacturing operations (§§129.101-129.107). These presumptive RACT requirements, based on EPA's Control Techniques Guidelines (CTG), will apply statewide to wood furniture manufacturing facilities with actual or potential emissions of 25 tons per year or more of VOCs.

Statement of Interest: NPCA is a voluntary, nonprofit trade association representing some 400 manufacturers of paints, coatings, adhesives, sealants, and caulks, raw materials suppliers to the industry, and product distributors. As the preeminent organization representing the coatings industry in the United States, NPCA's primary role is to serve as ally and advocate on legislative, regulatory and judicial issues at the federal, state, and local levels. Over the past several years, the NPCA has been extensively involved in the development of volatile organic compound (VOC) regulations at the federal, state, and local levels, including extensive involvement and participation in state and local rulemaking activities. NPCA was a participant in the negotiated rulemaking activity sponsored by the U.S. Environmental Protection Agency which led to the issuance of a control technique guideline for the control of VOC emissions resulting from wood furniture manufacturing operations.

Issue addressed: The Department of Environmental Protection has specifically solicited comments on the following issue:

- Whether the Department should require the owners or operators of wood furniture manufacturing facilities with a potential to emit 25 tons per year or more of VOC emissions to comply with both the surface coating requirements in §129.52 and the proposed presumptive RACT requirements in §§129.101-129.107.

Concerning this specified issue, NPCA believes that providing two sets of compliance targets for industry is at best, highly confusing. The current Pennsylvania rule relies on an approach which adds an additional table of VOC standards which correspond to the presumptive Reasonably Available Control Technology (RACT) VOC limits contained in the Wood Furniture Manufacturing CTG to the current VOC standards (at §129.52 para. 11, hereinafter "Table I").¹ The newly proposed Table IV VOC limits were the product of a negotiated rulemaking activity conducted by a federal advisory committee (the "reg-neg").² The reg-neg committee found that the limits contained in Table IV represented RACT for the wood furniture manufacturing industry. The DEP's proposal indicates that regulated sources would be required to comply with both Table I and Table IV limits i.e., the lower of the applicable limit.

Industry believes this idea is at best confusing and is likely to result in a greatly increased burden on the regulated community without any commensurate gain to the environment. Requiring coatings suppliers to confirm that the same coating complies with two different tables of standards prior to use in Pennsylvania adds significantly to an already high regulatory burden.³ NPCA can see no merit or benefit to publishing and enforcing two differing sets of standards for this industry. Industry believes rather than that implementing Table IV makes the most sense. As the limits therein constitute presumptive MACT, there should be no impediment to State Implementation Plan (SIP) approval, particularly since the primary limits in Table IV are lower than the existing standard.

In addition to problems of inconsistency, certain of the Table I limits appear to be technologically problematic. The limit for "all other coatings" in Table I (14.3 lbs./lb. solids), assuming it is intended to apply to certain stains, does not appear to be technically feasible, and thus, not RACT. Stains are extremely low solids materials and, as such, were omitted from the CTG's "percent solids by weight" approach.⁴ This is particularly

¹ These limits, contained in §129.102 (hereinafter Table IV), were originally published in the Wood Furniture Manufacturing CTG, which was entitled "Control of Volatile Organic Compound Emissions from Wood Furniture Manufacturing Operations," Emission Standards Division, U. S. Environmental Protection Agency, Office of Air Quality Planning and Standards, Research Triangle Park, NC 27711 (April, 1996).

² The Commonwealth of Pennsylvania was a participant in the negotiated rulemaking activity.

³ Although the reg-neg committee had recommended that states implement the limits generally contained in Table IV, furniture manufacturers and coatings suppliers have continued successfully to address differing regulations, such as those contained in Table I. But requiring simultaneous compliance with two tables of standards in the same regulation is a different and perhaps unprecedented matter.

⁴ The model rule contained in the CTG defines stains as follows: "Stain means any color coat having a solids content by weight of *no more than 8.0 percent* that is applied in single or multiple coats directly to

Mr. Terry Black
Chief, Regulation and Policy Development Section
Page 3

true of certain stains, such as pad stains, sap stains and spatter stains. The CTG itself acknowledges that these and other "dye stains" have virtually no solids.⁵ In the case of stains and other categories of coatings not regulated by the CTG, I note that the reg-neg committee engaged in extensive discussions concerning each of these categories and decided not to address the omitted categories through the imposition of VOC limits. Rather, other emissions reduction strategies, such as improved transfer efficiency and better "housekeeping" measures were recommendation for reducing VOC emissions. There is a consensus in industry that as applied to stains, the proposed VOC limit of 14.3 pounds of VOC per pound of solids is not technologically achievable. Accordingly, NPCA believes that, at a minimum, NGR and dye-type stains should be excluded from the coverage of this "all other" category if the Commonwealth were to implement both sets of limits as proposed.⁶

NPCA also suggests that the definition of wood furniture component be altered to avoid any question about whether this rule covers the coating of metal parts going into wood furniture, such as drawer sides. The definition should be made less restrictive by adding the term "but is not limited to" after "includes" in §121.1. This would clarify that all components are covered by this rule, rather than the more restrictive list currently included in the definition of "wood furniture component."

NPCA will be pleased to work with the DEP on this issue as the Department considers these comments and move forward on this issue. Please feel free to contact me should you require any clarification and/or additional information.

Respectfully submitted,

H. Allen Irish
Counsel

*National Paint and Coatings Assn.
1500 Rhode Island Ave. NW
Washington DC 20005*

the substrate. Includes, but is not limited to, nongrain raising stains, equalizer stains, sap stains, body stains, no-wipe stains, penetrating stains, and toners."

⁵ Nongrain raising stains are dye-type stains that are intended to give clarity and depth to the wood finish. *Dye-type stains consist of dyes that are dissolved in methanol. The dye is completely dissolved in the methanol, so it does not contribute to the solids build on the furniture.* No-wipe stains are pigmented stains that are sprayed on and not wiped that contain a small amount of oil, pigment, and solvent. No-wipe stains are used to accent the wood grain, provide color uniformity, and provide for color retention (emphasis added). CTG, p. 24.

⁶ Concerning pad and spatter stains, the common compliance approach of substituting exempt solvents, i.e., acetone, for VOCs is not workable. This is because since the stain is designed to be applied after the topcoat is applied, and acetone, being an aggressive solvent, will attack the previously applied coating. Additionally, many of the dyes commonly used in these stains are not soluble in acetone.

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DEPT. OF ENVIRONMENTAL PROTECTION

May 6, 1999

Christine M. Hall, Air Quality Specialist
Pennsylvania DEP
230 Chestnut Street
Meadville, PA 16335

Original: 2007
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Dear Ms. Hall:

Thank you for your letter of March 16, 1999 notifying us and inviting review and comment on the proposed amendments to the Pennsylvania Surface Coating Regulations.

Our facility surface coats the fabricated steel products we produce. We have asked the chemists at our paint supplier to review these proposed technical regulations. Also, our company uses waterborne alkyd air-dried coatings, which we believe is the most economically & environmentally friendly to our employees and community that we are aware of [please be aware that waterborne is more difficult to apply than solvent base].

We have been advised that this new reporting regulation would be acceptable and our coating would still be within the lbs VOC per gal coating solids of 6.67 for air-dried coatings limit. And, as long as this does not change the criteria for total VOC emission calculations for describing a major operating permit limit, we agree and support the change.

For reference, our current Table 1 VOC's are 3.10 lbs/gal to a limit of 3.5 lbs/gal. The new Table 1 VOC's would be 5.48 lbs/gal to a new limit of 6.67 lbs/gal. And, our current VOC of non water kinds of solvents/gal is 1.24 lbs/gal which we understand will not change for the operating permit emissions calculation for permit category sizes.

Please do not penalize us for speaking up and speaking freely.

Sincerely,

Dale W. Deist, President

ref: C:corresp/dwd99/Surf Coat Remarks 5-6-99

cc:Environmental Quality Board at www.dep.state.pa.us

*Bucks Fabricating
3547 Perry Highway
Hadley, PA 16130*

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Enclosure

U.S. EPA Region III Comments to Pennsylvania's Proposed Rulemaking for Section
129.52 Surface Coating Processes

- 1) Regarding 129.52(b)(1)(i) -For clarification purposes, it should be specified that this section applies to coating operations (such as spray, rotating head, electrodeposition, flow coat etc.) where solvent is not being added to the coating prior to application. Since this section does not apply to dip coating processes, it is not clear whether or not the 30 day rolling average applies or if compliance is to be determined on an Ainstantaneous@ basis.
- 2) Regarding 129.52 (b) (1) (i) and (ii) - These sections are used to calculate weight VOC per volume of coating solids (lbs VOC/gal ctg solids) with (ii) being the dip coating operation. Our comment would be to combine the two into one section for determining compliance on a gallon coating solids basis (SURFACE COATING LIMIT SEE TABLE). Within this section, dip coating equations can then be specifically addressed and calculated on the 30 day rolling average. This would make the regulation clear and allow for dip coating operations.
- 3) Regarding 129.52(b)(1)(iii) - Since the units of VOC(B) are expressed in lb VOC per lb of coating solids, it appears that this section applies to wood coating processes. If so, this should be indicated. Since this section does not apply to dip coating processes, it is not clear whether or not the 30 day rolling average applies or if compliance is to be determined on an Ainstantaneous@ basis.
- 4) Regarding 129.52 (b) (1) (iii) and (iv) - -These sections are used to calculate weight VOC per weight of coating solids (lbs VOC/lbs ctg solids) with (iv) being the wood furniture dip coating operation. Our comment would be to combine the two into one section for determining compliance on a weight coating solids basis (SURFACE COATING LIMIT SEE TABLE). Within this section dip coating equations can then be specifically addressed and calculated on the 30 day rolling average. It seems redundant to make any reference to wood furniture in these sections as the section of the table that would apply to the calculation would in effect take care of that reference. This would make the regulation clear and allow for dip coating operations. In summary there would be two sections each containing dip coating language meeting the surface coating limits on either a volume basis or a weight basis.
- 5) Our only other comment is that the regulation makes reference to the limits being "VOC content of each coating as applied is equal to or less than the standard specified in Table I." If this is an "as applied" standard shouldn't transfer efficiencies have to be taken into account. We did not see any reference about transfer efficiencies.

Cristina Fernandez
US EPA
Region III
1650 Arch St.
Philadelphia PA 19103-2029

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REVIEW COMMISSION

Statement of C. Richard Titus
KITCHEN CABINET MANUFACTURERS ASSOCIATION
Surface Coating Processes and Wood Furniture Manufacturing Operations
Harrisburg, Pennsylvania
April 7, 1999

My name is Dick Titus. I am the Executive Vice President of the Kitchen Cabinet Manufacturers Association (KCMA) located in Reston, Virginia.

KCMA appreciates the opportunity to comment on proposed revisions to surface coating processes regulations as they relate to wood furniture manufacturing operations in Pennsylvania. We view this as a constructive and positive process and compliment you for your interest and efforts to promulgate balanced regulations.

KCMA is the national trade association for manufacturers of kitchen cabinets, bath vanities and cabinets for other rooms. Currently, the association has 350 members. Approximately 179 suppliers to the industry belong as Associate members.

The cabinet manufacturing industry is very fragmented and typified by small companies. Over 66% of KCMA members report sales under \$10 million and 58% report sales under \$5 million. Pennsylvania is the largest state in the U.S. for KCMA membership.

KCMA, along with the American Furniture Manufacturers Association, the Business and Institutional Manufacturers Association, and the National Paint and Coatings Association served as industry representatives in the negotiated rulemaking process that produced the U.S. EPA-approved RACT and MACT for air emissions from wood furniture manufacturing. Those organizations concur in these comments and plan to submit written comments by the May 10, 1999, deadline.

In response to questions raised in the March 6, 1999, announcement in the Pennsylvania Bulletin, KCMA members in Pennsylvania support the use of the presumptive RACT contained in the 1996 U.S. EPA Control Techniques

Guidelines and model rule for wood furniture finishing. This regulation reflects a consensus reached among manufacturers, environmentalists, U.S. EPA, and state regulatory officials. By referencing the presumptive RACT, Pennsylvania's regulations become consistent with those of other states, thus assisting compliance and helping maintain the competitiveness of Pennsylvania companies.

Manufacturers should not be subject to both the Pennsylvania surface coating requirements and presumptive RACT as this creates additional unnecessary regulatory burdens and confusion not consistent with the objectives of the Regulatory Basics Initiative. We suggest that companies already subject to case-by-case RACT be given an opportunity to convert to presumptive RACT. This could ease the cost and overall burden of the regulation for manufacturers with no penalty to the environment.

In general, the requirements of Chapter 129, Sections 101-107, are consistent with the RACT requirements and model rule developed by EPA to assist states implement the Control Techniques Guideline. However, there are inconsistencies between the preamble and the rule. Suggestions to clarify the March 6 proposal include the following:

1. Clearly indicate that adhesives are not included in the definition of "coatings." As currently written, this could be open to question.
2. The category "all other coatings" as defined under Section 129.52, Table 1, Category 11e is too broad and precludes any low solids stains, highlight materials, and similar materials from complying as none can meet a limit of 14.3 lbs. VOC/lb. solids.
3. Table IV is not clear as to how emission limits are presented. Facilities are allowed the option of complying using either topcoats with a VOC content no greater than 0.8 lb./lb. solids or sealers and topcoats with a VOC content no greater than 1.9 and 1.8 respectively (or 2.3 and 2.0 for acid-cured alkyd amino based sealers and topcoats), but this is not clearly presented in Table IV. Either the table needs to be modified to clarify that there are either/or options or additional language needs to be included in the body of the rule to indicate this distinction.

4. Requirements in Section 129.52 that limit the use of conventional air spray guns are more stringent than the requirements in Section 129.103(g) and would be the standard that a wood furniture facility must satisfy. We suggest that language be added to Section 129.103 indicating that this section supersedes the application equipment requirements of Section 129.52.
5. We suggest that if facility reporting dates are found to be inconsistent with NESHAP reporting dates, those facilities be allowed to work with the permitting agency to adjust the dates so that they are not filing four reports a year instead of two.
6. The definition for the Certified Product Data Sheet states that it should include the HAP content. However, this should not be required on a data sheet used to demonstrate compliance with a VOC rule. Since information on HAP's is of no use, it should not be required.
7. The language in Section 129.102(iii) establishing limits for facilities that use control devices is not correct. It now reads such a facility should achieve a reduction equivalent to 0.8 VOC/lb. solids for topcoats and 1.9 lb. VOC/lb. solids for sealers. The reference should read, "Using a control system that will achieve a reduction in emissions equivalent to 0.8 lb. VOC/lb. solids for topcoats or 1.8 lb. VOC/lb. solids and 1.9 VOC/lb. solids for sealers."
8. There is no definition of the term "enamel" in the presumptive RACT standard. The proposed definition was taken from the EPA MACT standard which is not consistent with existing definitions in Pennsylvania regulations. We suggest that enamel be included under the definition of "topcoat" for the purposes of this regulation.

Again, thank you for the opportunity to discuss the proposed changes to standards governing emissions of VOC's from wood furniture manufacturing operations and to offer suggestions for improving the regulation.

*C. Richard Titus
KMCA
1899 Preston White Dr.
Reston VA 22091
703-264-1490*

**Testimony for Public Hearing on Amendments to Surface Coating Regulations
and Presumptive RACT Standards for Furniture and Cabinet Manufacturing
April 7, 1999**

Good morning. I'm Michael E. Ludecker, Manager of Safety and Environmental Services for Wood Mode, Inc. of Kreamer, PA. Wood Mode is the largest custom cabinet manufacturer in the United States and employs more than 1400 people in its Kreamer manufacturing plant. I am also on the Government and Regulatory Affairs Committee of the Kitchen Cabinet Manufacturers Association, which is responsible for addressing environmental issues for our industry. I would like to thank the Environmental Quality Board for the opportunity to comment on these regulations, which are most important to our industry. I would also like to thank the DEP for following through on the Regulatory Basics Initiative and producing a packet of regulations which will simplify the existing Surface Coating Regulations and the RACT standards as they apply to our industry. These changes will also bring our regulations closer to EPA standards. Consistency with federal standards is vital to the health of Pennsylvania manufacturers as we compete nationally and seek to use compliance materials developed based on federal standards.

Wood Mode supports the promulgation and implementation of these amendments with a few minor changes as detailed below. I will proceed through the preamble and regulations in the order they appear in the Pennsylvania Bulletin of March 6, 1999.

Preamble

129.103 (d)-It would be helpful to explain that the sensitive data required in this section is not meant to be submitted to the department in any type of report. There is concern in the regulated community that this data could be made publicly available.

129.103 (d)(3)-The definition of spent solvent is unclear and needs to be modified. The existing definition would almost always yield a result of zero. I would be happy to help craft a new definition if the DEP would share its objectives.

129.103 (e): The explanation of the solvent content limit for spray booth cleaning appears to be in error. The paragraph states that strippable booth coating is limited to 8% by weight solvent. Section 129.103 (e) applies only to cleaning materials. Strippable booth coating is limited in table IV to 8 lbs/lb solid.

129.103 (g): The explanation of the acceptable use of air spray guns for touch up and repair contradicts the regulations in Section 129.103 (g). If the sixth sentence is modified to read "The coatings **may** also be applied..." this contradiction will be resolved.

Section J (1): It is our position that at the time a facility reaches the potential to emit of 25 TPY or more, only the more stringent presumptive RACT requirements of 129.101 – 129.107 should apply. The requirements of wood furniture manufacturers contained in 129.52 will be covered by presumptive RACT as follows:

Table 1:

- (g) Clear Topcoat: The minimum solids limit will increase from 25.0% to 35.7%
- (h) Washcoat: This is a rarely used material with a solids limit of 6.5% minimum. This standard is not providing any effective emission reduction.
- (i) Final Repair Coat: Most final repair coats are exempted from VOC limits under 129.52 (h). For the remaining repair coatings, most are just re-applications of previously applied coatings and are regulated as the production coatings.
- (j) Opaque Ground Coats and Enamels: These will be regulated as Topcoats and the minimum solids limit will increase from 25.0% to 35.7%
- (k) All Other Coatings: These are cosmetic specialty coatings making up a very small quantity of emissions and are only limited to 6.5% solids minimum.
- (l) Clear Sealers: The minimum solids limit will increase from 20.4% to 34.5%

Application Equipment: The application equipment requirements found in 129.52 (f) are substantially the same as those found in 129.103 (g). There will be no reduction in the level of control by applying only the presumptive RACT regulations.

However, the application of only the presumptive RACT regulations will significantly simplify the required recordkeeping and reports necessary to demonstrate compliance. It will also simplify field inspections and compliance determinations. In addition, if both standards were applied to the Cabinet and Furniture category, we would be the only surface coating category out of the eleven in table 1 to be subject to both 129.52 and a presumptive RACT.

Section J (2): The reporting requirements found in 129.106 are substantially the same as those found in the EPA MACT standards 40 CFR Section 63.807. We feel this is a reasonable and appropriate control.

Proposed Regulations

121.1 Definitions

Enamel-This definition conflicts with the definition of "Opaque Ground Coats and Enamels" currently found in Section 121.1 of the Pennsylvania Code. The new definition of Enamel is unnecessary and should be deleted. The term "Enamel" is not used anywhere in the presumptive RACT standard. The new definition was lifted from the EPA MACT standard where the term "Enamel" is used. Retaining the definition of "Enamel" from the MACT standard will only cause confusion in the field.

Stain-the proposed definition of stain limits solids content to 8% maximum. Almost all wiping stains have greater than 8% solids and many toners used in the cabinet industry. The definition of stain has no functional value in the Surface Coating Regulations, Section 129.52 or in the Presumptive RACT regs. and should be eliminated. This definition was also taken from the Federal MACT standards.

Topcoat-Topcoat is defined as the last film building coating. The definition should reflect the fact that Topcoats could be put on in several layers.

129.52 (f)-The application equipment requirements in this paragraph should be modified to be consistent with the requirements found in 129.103 (3) (g). The exemptions found in the federal standards are necessary and have been deemed appropriate by EPA.

129.52, Table 1, 11 (e)-The category "All Other Coatings" should be changed to "Other Coatings" as defined in Section 121.1. "All Other Coatings" has always been interpreted to be the same as "Other Coatings" in the field, but this situation is a potential source of confusion. The interpretation is going to be more difficult with the deletion of the terms "Semitransparent Spray Stains" and "Semitransparent Wiping and Glazing Stains". We will now have large categories of materials which are not clearly defined and which may be mistakenly put in the category of "All Other Coatings". It would also be helpful to have a clarification of this in the preamble. The preamble should state that if a coating does not fit the definition of a coating in Tables I or IV, it does not have a VOC content limit.

129.102 (1)-This paragraph should be modified so that it is clear that a manufacturer has the option of using the limits contained in category (1), (2) or (3).

129.102 (3)-The use of a control system to achieve the required emission limits should not result in a tightening of the emission limit. This paragraph requires an equivalent reduction to 0.8 lbs/gal Topcoats and 1.9 lbs/gal sealers. The relevant standard, 129.102 (1), is 0.8 lbs/gal topcoats or 1.8 lbs/gal topcoats and 1.9 lbs/gallon sealers. The use of a control system should bring emissions down to the level specified in Table IV. Anyone forced to use a control system to achieve compliance will incur a great expense to do so and should not be penalized further by tighter limits.

129.103 (d) (3)-This paragraph again contains the definition of spent solvent, which is unclear and needs modification.

My final comment is on the relationship between the proposed presumptive RACT standards and the existing Case by Case RACT regulations, 129.91-129.94, as they are being implemented in the industry. I interpret the preamble to state that if the presumptive RACT regulations are approved prior to a company's Case by Case RACT plan getting an EPA approved SIP revision, the presumptive RACT regulations will apply and the Case by Case RACT plan will not apply. This concept we strongly support. However, neither the preamble nor the regulations address the issue of the existence of state only RACT permits. These permits are being issued prior to RACT plans obtaining EPA approved SIP revision status. The preamble should address how these RACT permits can be rescinded. Otherwise, it is quite possible that a manufacturer could be subject to both presumptive RACT and Case by Case RACT. This is clearly not intended by the DEP or EPA.

I suggest that no new state only Case by Case RACT permits be issued for furniture or cabinet manufacturing until the presumptive RACT regulations are promulgated. Even if a mechanism is established to rescind permits, a considerable amount of effort will be wasted in the interim.

I would be happy to participate in any discussions concerning revisions to these proposed regulations. Feel free to call me at (570) 374-2711. Once again, thank you for this opportunity to participate in the rule making process.



MICHAEL E. LUDECKER, P.E.
MANAGER, SAFETY & ENVIRONMENTAL SERVICES
E-Mail: enveng@woodmode.com

KREMER, PA 17033 • 570-374-2711 • FAX: 570-372-1417

Wood Mode • Brockton • Wood-Mod Industries

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April 8, 1999

CARDONE Industries would like to submit the following comment on the Proposed Rulemaking for Surface Coating Processes (25 PA 129.52), as published in the 3/6/99 PA Bulletin. We also request that this also be used as our summary document for distribution to the Environmental Quality Board for their consideration.

25 PA 129.52 (c) states that a facility must maintain records sufficient to demonstrate compliance with this section, and then proceeds to list the minimum records which must be kept in order to achieve this goal. While for many sources the records listed in 25 PA 129.52 (c) may be necessary and reasonable to demonstrate compliance, for other processes these records are burdensome, costly to implement, and do not provide information useful in demonstrating compliance with the surface coating regulations.

For a manufacturer which uses compliant coatings as they are supplied (no additives), and has accurate purchase and issue records, the requirement to keep daily records does not aid in the demonstration of compliance. The coating used already complies with all other applicable sections of this rule, and emissions on an annual (or quarterly) basis are more accurately determined using the purchase and/or issue records.

CARDONE Industries requests that a provision for approval of alternate recordkeeping be implemented. As an example, the following wording could be inserted into the rule as 25 PA 129.52 (c)(4):

Surface coating processes which solely use compliant coatings as supplied by the manufacturer may propose to the Department alternate records to be kept which will demonstrate compliance with this section, other than those specified above. The Department may approve the request if it is demonstrated to the Department's satisfaction that the alternate records are at least as effective in documenting that the source is in compliance with this section, and that accurate records are kept for emission statement purposes.

Thank you for your consideration. If you have any questions on this comment please contact me at (215) 912-3622

Sincerely,



Richard Gudz
Waste Stream Manager, Safety and Environmental Engineering Department



CARDONE Industries, Inc. • World Headquarters • 5501 Whitaker Avenue • Philadelphia, PA 19124-1799
Telephone: 215.912.3000 • Facsimile: 215.912.3700 • Web Site: www.cardoneonline.com

COATING DEVELOPMENT GROUP, INC.

Tel: 215-426-6216

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April 20, 1999

COATING DEVELOPMENT GROUP, INC.
HARBISON

Environmental Quality Board
P. O. Box 8477
Harrisburg, PA 17105-8477

Re: 25 PA. CODE CHAPTER 129
Surface Coating Processes (RBI#4)
Public Comments and Suggestions

TO WHOM IT MAY CONCERN

As a consulting service organization to wood furniture and cabinet manufacturers as well as a wood coating producer, we at Coating Development Group, Inc., have developed in depth expertise in the area of finishes for wood. With this as an introduction, we would like to respectfully submit the following comments and suggestions regarding 25 PA Code - Chapter 129, Section 129.102 titled Emission Standards.

Our comments specifically address Table IV of Section 129.102, (3) of Table IV dealing with Alkyd Amino Vinyl systems. Our suggestion is that the term "vinyl" be eliminated from this description in the three parts where it appears, i.e.

- (3)
- (3) (i)
- (3) (iii)

These acid cured sealers and topcoats are primarily based on what is known as alkyd amino technology. These coatings are made from alkyd resins combined with either urea formaldehyde and/or melamine formaldehyde resins. When acid catalyst is added to this mix, the resulting coating cures in a low-medium temperature range of 65-140°F, which is appropriate for wood furniture finishes. The addition of resins such as vinyl, nitrocellulose, butyrates, etc. are sometimes made to the alkyd amino base. These additions help dry the surface of these fairly slow alkyd amino systems.

By specifying the term vinyl we severely limit the resin choice for modifying the alkyd amino base. In addition, the solvents needed to dissolve the vinyl in the system may be more active, higher VOC or HAPS type.

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Subsidiary: Clearkin Chemical
Manufacturers of Marine and Industrial Chemicals



C.D.G., INC.
Coating Development Group, Inc.
Philadelphia, PA 19134

-2-

April 20, 1999

Environmental Quality Board
Harrisburg, PA (continued)

Finally, the use of vinyl as opposed to other modifying resin choices, may limit the excellent sanding properties which can be obtained with other modifying resins for the alkyd amino backbone system.

Modifying resins, other than vinyls can and are used to produce acid-cured alkyd amino systems at equal or lower pounds of VOC per pound of coating solids (Kg VOC/Kg of coating solids) than are produced with vinyls.



Frederick P. Obst
President
ENVIRON TECH ASSOCIATES, INC.
485 Juniper Street
Warminster, PA 18974

Phone: (215) 672-9907
Fax: (215) 672-0947

Technical Consultant for
COATING DEVELOPMENT GROUP, INC.

FPO:ras

cc: FILE

M. Barnisin, Jr.
W. H. Dengler
R. T. Greene
M. Kochanowicz
C. E. Robbins

Subsidiary: Clearkin Chemical
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PENNSYLVANIA DEPARTMENT OF ENVIRONMENTAL PROTECTION
HARRISBURG, PENNSYLVANIA

May 5, 1999

**Pennsylvania Environmental Quality Board
P.O. Box 8477
Harrisburg, Pennsylvania 17105-8477**

**Re: Proposed Rulemaking – Surface Coating Processes and Wood Furniture
Manufacturing Operations**

Dear Sir/Madam,

The American Furniture Manufacturers Association (AFMA) would like to take this opportunity to comment on certain issues regarding a proposed rulemaking relating to surface coating processes and wood furniture manufacturing operations. The AFMA, located in High Point, North Carolina, is the largest nonprofit, voluntary organization for furniture manufacturers in the United States, and is dedicated to fostering the growth and development of the furniture industry. The AFMA has 350 corporate members, representing 400,000 employees and over 75% of the shipments of U.S. furniture.

As the above description might suggest, the AFMA represents manufacturers of residential furniture. Several of our member companies operate facilities within Pennsylvania. The AFMA, along with several other stake holder representatives, participated in the negotiated rulemaking process that produced the U.S. EPA approved RACT and MACT standards for wood furniture manufacturing processes. In response to questions raised in the March 6, 1999, announcement in the Pennsylvania Bulletin, AFMA members in Pennsylvania support the use of the presumptive RACT contained in the 1996 U.S. EPA Control Techniques Guidelines (CTG) and model rule for wood furniture finishing. This regulation reflects a consensus reached among manufacturers, environmental groups, and regulatory officials. By adopting the presumptive RACT by reference, Pennsylvania's regulations become consistent with those of surrounding states, thus accomplishing the goals of RACT while maintaining a level playing field for the business community.

The AFMA strongly believes that furniture manufacturers should not be subject to both the Pennsylvania surface coating requirements proposed in Chapter 129, Section 52 and presumptive RACT as proposed in Chapter 129, Sections 101 – 107. This approach is not consistent with the Regulatory Basics Initiative and creates unnecessary regulatory burdens and confusion. The AFMA requests that companies already subject to case-by-case RACT be given the opportunity to adopt the presumptive RACT contained in the 1996 U.S. EPA Control Techniques Guidelines. The reductions in VOC provided by the

Pennsylvania Environmental Quality Board

**May 5, 1999
Page 2**

CTG are substantial and are considered to be environmentally commendable, technically feasible, and economically possible. This is the only level of control that is necessary.

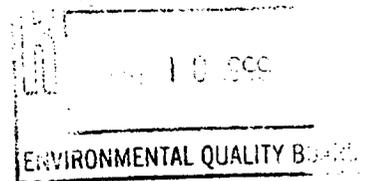
In general, the requirements of Chapter 129, Sections 101 – 107, are consistent with the RACT requirements and model rule contained in the CTG. However, there are several inconsistencies that create an additional layer of confusion for both DEP and the regulated community. This confusion could be avoided by adopting the presumptive RACT contained in the CTG by reference. Otherwise changes should be made to clarify the proposed rule. The AFMA is available to assist in this effort as needed.

In summary, the AFMA requests that VOC emissions from surface coating operations at furniture manufacturing facilities only be subject to RACT as required by attainment status. This RACT should be identical to, or very closely mirror, the presumptive RACT contained in the 1996 U.S. EPA Control Techniques Guidelines.

The AFMA appreciates the opportunity to provide these comments and to participate in the regulatory process. If you should have any questions please do not hesitate to contact me at (336) 884-5000.

Sincerely,

**Andy S. Counts
Vice President of Environmental Affairs**



May 7, 1999

Pennsylvania Environmental Quality Board
P.O. Box 8477
Harrisburg, PA 17105-8477

**Re: Proposed Rulemaking – Surface Coating Processes and Wood Furniture
Manufacturing Operations**

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PENNSYLVANIA ENVIRONMENTAL QUALITY BOARD

Dear Sir/Madam:

The American Furniture Manufacturers Association (AFMA) would like to take this opportunity to comment on certain issues regarding a proposed rulemaking relating to surface coating processes and wood furniture manufacturing operations. The AFMA, located in High Point, North Carolina, is the largest nonprofit, voluntary organization for furniture manufacturers in the United States, and is dedicated to fostering the growth and development of the furniture industry. The AFMA has 350 corporate members, representing 400,000 employees and over 75% of the shipments of U.S. furniture.

As the above description might suggest, the AFMA represents manufacturers of residential furniture. Several of our member companies operate facilities within Pennsylvania. The AFMA, along with several other stake holder representatives, participated in the negotiated rulemaking process that produced the U.S. EPA approved RACT and MACT standards for wood furniture manufacturing processes. In response to questions raised in the March 6, 1999, announcement in the Pennsylvania Bulletin, AFMA members in Pennsylvania support the use of the presumptive RACT contained in the 1996 U.S. EPA Control Techniques Guidelines (CTG) and model rule for wood furniture finishing. This regulation reflects a consensus reached among manufacturers, environmental groups, and regulatory officials. By adopting the presumptive RACT by reference, Pennsylvania's regulations become consistent with those of surrounding states, thus accomplishing the goals of RACT while maintaining a level playing field for the business community.

The AFMA strongly believes that furniture manufacturers should not be subject to both the Pennsylvania surface coating requirements proposed in Chapter 129, Section 52 and presumptive RACT as proposed in Chapter 129, Sections 101 – 107. This approach is not consistent with the Regulatory Basics Initiative and creates unnecessary regulatory burdens and confusion. The AFMA requests that companies already subject to case-by-case RACT be given the opportunity to adopt the presumptive RACT contained in the 1996 U.S. EPA Control Techniques Guidelines. The reductions in VOC provided by the CTG are substantial and are considered to be environmentally commendable, technically feasible, and economically possible. This is the only level of control that is necessary.

In general, the requirements of Chapter 129, Sections 101 – 107, are consistent with the RACT requirements and model rule contained in the CTG. However, there are several inconsistencies that create an additional layer of confusion for both DEP and the regulated community. This confusion could be avoided by adopting the presumptive RACT contained in the CTG by reference. Otherwise changes should be made to clarify the proposed rule. The AFMA is available to assist in this effort as needed.

In summary, the AFMA requests that VOC emissions from surface coating operations at furniture manufacturing facilities only be subject to RACT as required by attainment status. This RACT should be identical to, or very closely mirror, the presumptive RACT contained in the 1996 U.S. EPA Control Techniques Guidelines.

The AFMA appreciates the opportunity to provide these comments and to participate in the regulatory process. If you should have any questions please do not hesitate to contact me at (336) 884-5000.

Sincerely,



Andy S. Counts
Vice President of Environmental Affairs



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Mr. Terry Black
Environmental Quality Board
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Dear Sir:

Akzo Nobel Coatings wishes to express objections, suggestions and comments regarding the proposed regulation entitled "Surface Coating Processes and Wood Furniture Manufacture Operations" (RBI #4 and Annex A) in 25 PA Code Chapters 121, 129, and 139 of Pennsylvania.

Objections

RACT for Wood Furniture Manufacturing Operations was determined several years ago through an extensive Federal EPA conducted Regulatory Negotiation and eventually promulgated as a CTG (Control Technique Guideline). It was determined by Regulatory Negotiation and signed off by every committee member (25) that RACT was best accomplished by emission limits placed only on the topcoat or a combination of sealers and topcoats. No other coatings in the many varied sequences of furniture finishing were designated for emission controls. The reason for emission limits applied only to sealers and/or topcoats was that the coating volume represented 50-60% of the usage and technology with appropriate economics was available for these coatings. On the other hand, 20-30% of the coating volume consisted of low solids stains (ca. 1% NV) for which technology (primarily waterbase stains) for emission reductions was not practical for most of the industry. Emission reduction from stains was best accomplished by improvement in transfer efficiency; hence, the requirement that conventional air spray guns were not allowed except for a few specialized cases.

Akzo Nobel Coatings objects to the current proposal that Wood Furniture Manufacturing operations must comply with both the surface coating requirements in section 129.52 and the proposed presumptive RACT requirements in sections 129.101-129.107. Our objection is based on the argument that the Federal CTG compliance schedule provides a 25-30% direct reduction in VOC based on the entire finishing sequence of stains, other pigmented finishes, sealers and topcoats. The ban on conventional spray guns provides at least another 10% VOC reduction. These reductions were considered to be environmentally commendable, technically feasible, and economically possible. No other VOC reductions were considered to be appropriate.

Reliance

It should be pointed out that under section 129.52 Table I category 11e, "all other coatings"; the prior mentioned low solids stains would not ever be able to meet a limit of 14.3 lbsVOC/lb solids, as applied.

Suggestions

- (1) It is not clear how you intend to handle VOC calculations which include exempt compounds, and calculations which include exempt compounds and water. Currently Wood Furniture coatings containing acetone, perchlorobenzotrifluoride (PCBTF), and acetone/water are used in the industry. If t-butyl acetate is eventually delisted as a VOC, its use in the furniture industry could be significant. One expression should be

$\frac{\text{lbs VOC} (-\text{H}_2\text{O and Exempt})}{\text{gallon}}$

calculation excludes both water and exempt compounds from the numerator and denominator of the equation. Since this expression is largely misunderstood by surface coaters and requires explanation 2-3 times a week, Akzo Nobel Coatings recommends that its use be discontinued for compliance designations in industrial surface coatings.

For the wood furniture expression

$\frac{\text{lbs VOC}}{\text{lb solids}}$ it is not necessary to include

the (-water and exempt compound) statement, since only the numerator is affected and VOC is determined by the Federal definition which Pennsylvania has adopted. The same is true for the expressions

$\frac{\text{lbs VOC}}{\text{gallon}}$ and $\frac{\text{lbs VOC}}{\text{solid gallon (gallon of coating solids)}}$

2. The exemption from VOC limitations for small quantities of coatings used for determination of product quality and commercial acceptance is excellent in principle, however the details are of some concern. For example, considerable R&D testing is done by some categories of surface coaters using full-scale production equipment. This equipment may require a minimum of 50 gallons to charge the applicator for one test, Usually multiple tests are required, perhaps from several different suppliers. The exemption values of 50 gallon a year for a single coating and a total of 200 gallons each year for all coatings combined for the facility are not realistic numbers for large surface coating operations.

On the other hand, wood furniture facilities are constantly evaluating 1 quart to 5 gallon of material to be applied generally by spray on their production lines to indicate correct color, gloss, appearance, etc. To obtain written approval prior to use of each of these exempted furniture coatings is not practical.

I have some problem trying to visualize situations where non VOC compliant coatings would be used for test purposes. What usually happens is that samples made from compliant intermixes prepared at a coating suppliers small custom lab at a satellite location are tested without appropriate paper work; such as MSDS, CPDS, tech data sheet. The satellite technicians are usually trying to solve unexpected problems or introduce new colors or gloss where artistic color mixing and quality innovativeness are the main criteria for success. Volume measurements of the intermixes are not done and technical calculations are beyond the scope of the satellite technician. If the prepared test sample works, a small quantity is sent to the supplier's main lab for analysis and formulation entry by chemists. At this time the formulation is evaluated for emission compliance as determined by computer output of data calculations.

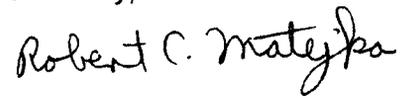
I would suggest that each surface coating operation be allowed to maintain compliance by keeping a record of coatings used as test exemptions from VOC (and HAPS) limitations. This record might include coating ID, description, date used, amount used, application method, reason for use, technical and/or business conclusions regarding use of materials tested, future plans for use of the tested material such as not feasible for additional investigation, investigation of _____ property needs to be confirmed by additional testing, tested material was successful and supplier will evaluate emission values for compliance. Signatures of the plant engineer, plant environmental official and coating supplier representative might be required.

Comments

- (1) Deletion from the regulations of an adjustment to VOC by using a standard solvent density of 7.36 pounds per gallon is a good idea since this concept never had good technical merit as to yield correct values or relationships for compliance.
- (2) Emissions averaging of VOCs in dip tanks on a 30 day rolling basis is an excellent new concept. Let's hope it works.

If Akzo Nobel Coatings can offer additional clarification or input, please call us at 336-841-5111.

Sincerely,



Robert C. Matejka
Environmental Manager
Customer Services

C: G. Currier – Akzo Nobel Coatings
J. Bright - Akzo Nobel Coatings
D. Speight - Akzo Nobel Coatings
Dick Titus – KCMA
Andy Counts - AFMA