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INDEPENDENT REGULATORY  
REVIEW COMMISSION



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October 16, 2007

Kathleen A. McGinty, Chairperson  
PA DEP Environmental Quality Board,  
P. O. Box 8477,  
Harrisburg, PA 17105-8477

**Re: Proposed Amendments to Chapter 130.**

Dear Chairperson McGinty:

As a raw material supplier to formulators of consumer products, Lyondell Chemical appreciates the opportunity to comment on the proposed amendments to the consumer products rule. Lyondell supports the DEP's efforts to reduce the VOC emissions from consumer products used in the Commonwealth and the proposed amendments to the rule. We would also like to take this opportunity to request a revision to subchapter C. (Architectural Coatings) that will harmonize your VOC definitions internally and with the rest of the country.

We are pleased to see that the proposed amendments are silent on the definition of a VOC or an Exempt Solvent, which means that the general definitions in Chapter 121.1 will apply to the amended consumer products rule. Both definitions make reference to the federal definition of a VOC, which was last amended in 2004 to exclude TBAC based on its negligible ozone-forming potential. This reference to the federal definition was a key reason why Pennsylvania was one of the first states to be able to use TBAC as a tool to reduce ozone formation from a variety of product and point source emissions. Your VOC rules are, therefore, automatically updated when the US EPA excludes a compound from the VOC definition. This saves DEP resources and allows the quick use of negligibly reactive compounds instead of reactive ones, which helps to reduce ozone levels.

Unfortunately, there is one exception to this in subchapter C. (Architectural coatings). This subchapter includes definitions for both VOCs and Exempt Compounds that are inconsistent with the federal definitions, your general definitions, your consumer products definitions and those of all other OTC states. These outdated definitions were left over from the OTC model rule and should be deleted.

We respectfully request that the Board approve the deletion of the VOC and Exempt compound definitions in subchapter C. as part of the final consumer products rule. This will harmonize your VOC definitions and make the latest VOC exempt compounds available as tools to reduce ozone and PM formation from architectural coating emissions statewide. It will also eliminate the need to revise subchapter C. each time the federal VOC definition is amended, thus saving DEP resources. Thank you in advance for your consideration.

Sincerely,

A handwritten signature in black ink, appearing to read "Daniel B. Pourreau", with a horizontal line underneath.

Daniel B. Pourreau, Ph.D.  
Technical Advisor