Regulatory Analysis Form

(Completed by Promulgating Agency)

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INDEPENDENT REGULATORY REVIEW COMMISSION

(1) Agency:
Environmental Protection

(2) Agency Number: 7
Identification Number: 568

IRRC Number: 3329

(3) PA Code Cite: 25 Pa. Code Chapters 121 and 129

(4) Short Title: VOC RACT Requirements for Shipbuilding and Ship Repair Surface Coatings, Synthetic Organic Chemical Manufacturing Industry Processes and Large Petroleum Dry Cleaners for the 2015 Ozone NAAQS; and General Provisions

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(6) Type of Rulemaking (check applicable box):

- ☒ Proposed Regulation
- ☐ Final Regulation
- ☐ Final Omitted Regulation
- ☐ Emergency Certification Regulation
  - ☐ Certification by the Governor
  - ☐ Certification by the Attorney General

(7) Briefly explain the regulation in clear and nontechnical language. (100 words or less)

This proposed rulemaking would amend Chapters 121 and 129 (relating to general provisions; standards for sources) to establish presumptive volatile organic compound (VOC) reasonably available control technology (RACT) requirements and RACT emission limitations for shipbuilding and ship repair facility surface coating operations, synthetic organic chemical manufacturing industry (SOCMI) processes and large petroleum dry cleaning facilities, and add definitions to § 121.1 (relating to definitions) to support the proposed amendments to Chapter 129. These proposed amendments are designed to implement requirements of the Clean Air Act (CAA) (42 U.S.C.A. §§ 7401—7671q) and to address the 2015 ozone National Ambient Air Quality Standards (NAAQS) in this Commonwealth.

(8) State the statutory authority for the regulation. Include specific statutory citation.

This proposed rulemaking is authorized under section 5(a)(1) of the Air Pollution Control Act (APCA) (35 P.S. § 4005(a)(1)), which grants the Environmental Quality Board (Board) the authority to adopt rules and regulations for the prevention, control, reduction and abatement of air pollution in this Commonwealth; and section 5(a)(8) of the APCA (35 P.S. § 4005(a)(8)), which grants the Board the authority to adopt rules and regulations designed to implement the provisions of the CAA.

(9) Is the regulation mandated by any federal or state law or court order, or federal regulation? Are there any relevant state or federal court decisions? If yes, cite the specific law, case or regulation as well as any deadlines for action.

Federal mandates

Yes. State RACT regulations to control VOC emissions from existing shipbuilding and ship repair surface coating operations, large petroleum dry cleaning facilities and SOCMI processes are required under Federal law. The State RACT regulations will be reviewed and approved by the Administrator of the United States Environmental Protection Agency (EPA) as revisions to Pennsylvania's State Implementation Plan (SIP) if the provisions satisfy the RACT requirements of the CAA and its implementing regulations. See *State Implementation Plans; General Preamble for Proposed Rulemaking on Approval of Plan Revisions for Nonattainment Areas—Supplement (on Control Techniques Guidelines)*, 44 FR 53761 (September 17, 1979). The EPA defines RACT as "the lowest emission limitation that a particular source is capable of meeting by the application of control technology that is reasonably available considering technological and economic feasibility." Ibid, 53762.

In accordance with sections 110(a), 172(c)(1), 182(b)(2)(A) and 184(b)(1)(B) of the CAA (42 U.S.C.A. §§ 7410(a), 7502(c)(1), 7511a(b)(2)(A) and 7511c(b)(1)(B)), this proposed rulemaking establishes VOC RACT standards, emission limitations and other requirements consistent with the EPA's recommendations in these Control Techniques Guidelines (CTGs): "Alternative Control Techniques Document: Surface Coating Operations at Shipbuilding and Ship Repair Facilities," EPA-453/R-94-032, April 1994 (1994 SB ACT), and the "CTG for the Control of VOC emissions from Shipbuilding and Ship Repair Facilities," 61 FR 44050 (August 27, 1996)(1996 SB CTG); "Control of Volatile Organic Compound Emissions from Large Petroleum Dry Cleaners," EPA-450/3-82-009, September 1982 (1982 LPDC CTG); "Control of Volatile Organic Compound Emissions from Air Oxidation Processes in Synthetic Organic Chemical Manufacturing Industry," EPA-450/3-84-015, December 1984 (1984 SOCMI CTG); and "Control of Volatile Organic Compound Emissions from Reactor Processes and Distillation Operations Processes in the Synthetic Organic Chemical Manufacturing Industry," EPA-450/4-91-031, August 1993 (1993 SOCMI CTG).

This proposed rulemaking will be submitted to the EPA for approval as a revision to the Commonwealth's SIP following publication of the final-form rulemaking in the *Pennsylvania Bulletin*.

Obligations under the CAA:

Section 109(b) of the CAA (42 U.S.C.A. § 7409(b)) provides that the Administrator of the EPA must establish permissible ambient air limits, or NAAQS, for certain "criteria" air pollutants at levels that protect public health and welfare and the environment. The criteria air pollutants are commonly found throughout the United States and currently include six air pollutants: ground-level ozone, particle pollution (often referred to as particulate matter), carbon monoxide, sulfur dioxide, oxides of nitrogen (NOx) (with nitrogen dioxide (NO_2) as the indicator) and lead. These air pollutants, when present in sufficient concentration in the ambient air, can cause harm to public health and welfare as well as animal and plant health and welfare and to the environment.

The EPA regulates these criteria air pollutants by developing human health-based or environmentally based criteria (science-based guidelines) for setting permissible ambient air levels. The standards designed to protect human health are called primary standards. Standards intended to protect the public welfare and the environment are called secondary standards. High concentrations of ground-level ozone and particle

pollution provide the most widespread health and welfare threats of the six criteria pollutants. The EPA set the ground-level ozone NAAQS in July 1997 at 0.08 part per million (ppm) averaged over 8 hours. The EPA lowered the ground-level ozone NAAQS in March 2008 to 0.075 ppm and then again in October 2015 to 0.070 ppm. See 62 FR 38855 (July 18, 1997); 73 FR 16436 (March 27, 2008); and 80 FR 65292 (October 26, 2015).

Section 110(a) of the CAA provides that each State shall adopt and submit to the EPA a plan (a SIP) to implement measures to enforce the NAAQS or revision to the NAAQS promulgated under section 109(b) of the CAA. A SIP includes the regulatory programs, actions and commitments a State will carry out to implement its responsibilities under the CAA. Once approved by the EPA, a SIP is legally enforceable under both Federal and State law.

Section 172(c)(1) of the CAA provides that SIPs for nonattainment areas must include "reasonably available control measures," including "reasonably available control technology" or "RACT," for sources of emissions of NOx and VOC.

Section 184(b)(1)(B) of the CAA provides that States in the Ozone Transport Region (OTR), including this Commonwealth, submit a SIP revision requiring the implementation of RACT for all sources of VOC emissions in the Commonwealth covered by a specific CTG. See 40 CFR 51.1316.

Section 182(b)(2) of the CAA provides that for moderate ozone nonattainment areas, States must revise their SIPs to include RACT for sources of VOC emissions covered by a CTG document issued by the EPA prior to the area's date of attainment; sources of VOC emissions covered by a CTG issued prior to November 15, 1990; and all other major stationary sources of NOx and VOC emissions located in the area.

A State must reevaluate its SIP-approved RACT requirements each time the EPA establishes a revised ozone NAAQS to determine if additional control measures are needed for the State to attain and maintain the revised ozone NAAQS. CTG documents provide information about a source category and recommendations of what the EPA considers to be RACT for the source category.

Section 183(e) of the CAA (42 U.S.C.A. § 7511b(e)) directs the EPA to list for regulation those categories of products that account for at least 80% of the VOC emissions from consumer and commercial products in ozone nonattainment areas.

Section 183(e)(3)(C) of the CAA (42 U.S.C.A. § 7511b(e)(3)(C)) further provides that the EPA may issue a CTG document 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 controlling emissions of VOC in ozone nonattainment areas.

CTGs provide States with the EPA's recommendations of what constitutes RACT for the covered source categories. States can use the Federal recommendations provided in the CTGs to inform their own determination as to what constitutes RACT for VOC emissions from the covered source categories or State air pollution control agencies may implement other technically-sound approaches that are consistent with the CAA requirements and the EPA's implementing regulations or guidelines.

Implementation Plans and Reasonable Progress Goals:

The EPA's past implementation of regulations for revised NAAQS ozone standards have required OTR States to submit RACT SIP revisions based on the timeframe provided in section 184 of the CAA as

measured from the effective date of designations made for those revised NAAQS, rather than from November 15, 1990. This requirement was first codified in 40 CFR 51.916 (relating to the requirements for an Ozone Transport Region under the 8-hour NAAQS) for the 1997 ozone NAAQS, later codified for the 2008 ozone NAAQS in 40 CFR 51.1116 (relating to requirements for an Ozone Transport Region) and most recently codified for the 2015 8-hour ozone NAAQS in 40 CFR 51.1316 (relating to requirements for an Ozone Transport Region). Under these provisions, States in the OTR are required to submit SIP revisions addressing the RACT requirements of section 184 of the CAA not later than 2 years after the effective date of designations for nonattainment areas for the revised 2015 ozone NAAQS, or by August 3, 2020.

The Commonwealth is therefore required to develop regulations that adopt EPA RACT recommendations found in CTGs for specific VOC source categories and implement RACT requirements statewide for major stationary sources of NOx and VOCs as part of a Federally approved SIP for attaining the 2015 ozone NAAQS and maintaining the 1997 and 2008 8-hour ozone NAAQS. These sources include combustion units, municipal solid waste landfills and municipal waste combustors, as well as other sources that are not regulated elsewhere in Chapter 129 through implementation of CTG (control technique guideline) recommendations for a source category. If the EPA finds that a State has failed to submit an acceptable SIP or has failed to implement the requirements of an approved SIP within the timeframe specified under the CAA and implementing rules, the State may be subject to sanctions under section 179 of the CAA (42 U.S.C.A. § 7509). Sanctions cannot be imposed until 18 months after the EPA makes the determination, and sanctions cannot be imposed if a deficiency has been corrected within the 18-month period.

(10) State why the regulation is needed. Explain the compelling public interest that justifies the regulation. Describe who will benefit from the regulation. Quantify the benefits as completely as possible and approximate the number of people who will benefit.

The purpose of this proposed rulemaking is to satisfy the Commonwealth's CAA RACT obligations for the 2015 ozone NAAQS by adopting CTG-based RACT measures for the control of VOC emissions statewide from shipbuilding and ship repair surface coating operations; large petroleum dry cleaning facilities; and SOCMI air oxidation, distillation and reactor processes. VOCs are precursors for ground-level ozone formation. Ground-level ozone, a public health and welfare hazard, is not emitted directly by these processes but is formed by a photochemical reaction between VOCs and NOx in the presence of sunlight.

Exposure to high levels of ground-level ozone air pollution correlates to increased respiratory disease and higher mortality rates. Ozone can inflame and damage the lining of the lungs. Within a few days, the damaged cells are shed and replaced. Over a long time period, lung tissue may become permanently scarred, resulting in permanent loss of lung function and a lower quality of life. When ambient ozone levels are high, more people with asthma have attacks that require a doctor's attention or use of medication. Ozone also makes people more sensitive to allergens including pet dander, pollen and dust mites, all of which can trigger asthma attacks. The EPA has concluded that there is an association between high levels of ambient ozone and increased hospital admissions for respiratory ailments including asthma. While children, the elderly and those with respiratory problems are most at risk, even healthy individuals may experience increased respiratory ailments and other symptoms when they are exposed to high levels of ambient ozone while engaged in activities that involve physical exertion. High levels of ground-level ozone also affect animals including pets, livestock, and wildlife, in ways similar to humans.

In addition to causing adverse human and animal health effects, the EPA has concluded that ground-level ozone affects vegetation and ecosystems, leading to reductions in agricultural crop and commercial forest yields by destroying chlorophyll; reduced growth and survivability of tree seedlings; and increased plant susceptibility to disease, pests, and other environmental stresses, including harsh weather. In long-lived species, these effects may become evident only after several years or even decades and have the potential for long-term adverse impacts on forest ecosystems. Ozone damage to the foliage of trees and other plants can decrease the aesthetic value of ornamental species used in residential landscaping, as well as the natural beauty of parks and recreation areas. These effects can have adverse impacts including loss of species diversity and changes to habitat quality and water and nutrient cycles. High levels of ground-level ozone can also cause damage to buildings and synthetic fibers, including nylon, and reduced visibility on roadways and in natural areas.

Improved ambient concentrations of ground-level ozone would also lead to better social well-being through improved growth and yields of agricultural crop and commercial forest products, as well as increased survival of ornamental trees and shrubs used in residential and business-park landscaping.

The EPA regulates ground-level ozone as a criteria air pollutant because of its widespread adverse health and environmental effects. Exposure to high concentrations of 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. Implementation of the proposed VOC control measures benefit the health and welfare of Pennsylvania's 12.80 million residents, animals, crops, vegetation and natural areas by controlling VOC emissions and the formation of ground-level ozone air pollution in the Commonwealth. Ground-level ozone can be transported downwind via regional air currents and meteorological events. Improvement of ground-level ozone in this Commonwealth also benefits the residents of downwind States and downwind environments.

This proposed rulemaking would be part of the Commonwealth's SIP demonstration to fulfill the CAA RACT requirements for the 2015 8-hour ozone NAAQS. The NOx and VOC emission control measures under consideration in the proposed rulemaking are reasonably necessary to attain and maintain the health-based and welfare-based 2015 8-hour ozone NAAQS in this Commonwealth.

In addition to the VOC emission control benefits, the owners and operators of both existing and new sources of VOC for the subject source categories would benefit by not needing to have individual operating permit conditions incorporated into the Commonwealth's SIP as federally enforceable control measures to meet Federal CAA CTG RACT obligations. This would make addressing operating permit changes and source modifications easier and more efficient for the owners and operators of the affected sources, whether existing or new.

(11) Are there any provisions that are more stringent than federal standards? If yes, identify the specific provisions and the compelling Pennsylvania interest that demands stronger regulations.

The Federal CTGs represent VOC RACT for these three source categories that would be subject to the proposed rulemaking. This proposed rulemaking is no more stringent than the recommendations of the EPA in the applicable CTG for each source category.

The owners and operators of all known affected facilities in this Commonwealth are currently subject to other regulatory or operating permit conditions including Best Available Technology (BAT), New Source Performance Standards (NSPS) or general operating permit requirements. Compliance with their existing

operating permit conditions would ensure that the affected owners and operators comply with the CTG-based VOC RACT standards, emission limitations and other requirements in this proposed rulemaking.

This proposed rulemaking is designed to adopt the standards and recommendations in the applicable CTGs to meet the requirements of sections 172(c)(1), 182(b)(2) and 184(b)(1)(B) of the CAA and the implementation rule for the 2015 ozone NAAQS. See 83 FR 63036 (December 6, 2018). This proposed rulemaking would apply the standards and recommendations of the CTGs across this Commonwealth, as required under section 184(b)(1)(B) of the CAA. The VOC content and emission rate limitations and other requirements of this proposed rulemaking would not be more stringent than the recommendations of the EPA in the applicable CTGs. The ground-level ozone air pollution control measures in this proposed rulemaking are reasonably necessary to attain and maintain the health-based and welfare-based ozone NAAQS in this Commonwealth and to satisfy related CAA requirements.

The EPA issued a CTG with RACT recommendations for the control of VOC emissions from surface coating operations at shipbuilding and ship repair facilities in 1996 that relied on recommendations provided in the 1994 SB ACT. See 61 FR 44050. The proposed surface coating VOC content standards for the shipbuilding and ship repair surface coating operations are taken directly from the EPA's CTG. The proposed requirements would not be more stringent than the CTG recommendations. The City of Philadelphia has a SIP-approved RACT regulation for shipbuilding and ship repair facilities. Outside of Philadelphia, there are currently only two facilities in this Commonwealth to which this proposed rulemaking would apply. The owners and operators of both facilities currently meet the CTG RACT recommendations due to BAT requirements in their existing operating permits. The Commonwealth has historically addressed the RACT status of these two existing shipbuilding and ship repair facilities in this Commonwealth by submitting the facility operating permits to the EPA as revisions to the SIP. This creates a burden on the owners and operators of these facilities because each time the owner or operator wants to modify the facility, the change in the operating permit must be submitted to the EPA as a revision to the SIP for that operating permit. The owner or operator of the facility bears the administrative burden and costs of advertising the change and conducting the SIP public hearing and public comment period required before submitting the changes to the EPA as a revision to the SIP. The Department would not need to continue submitting their individual operating permits and changes to their operating permits to the EPA as SIP revisions for the 2015 ozone standard, if the EPA approves this proposed rulemaking as a revision to the Commonwealth's SIP.

The proposed requirements for the owners and operators of petroleum dry cleaning facilities are consistent with and not more stringent than the example regulation in Appendix E of the 1982 CTG for large petroleum dry cleaners. There are no known large petroleum dry cleaning facilities in this Commonwealth. The Commonwealth has historically addressed the RACT status of the small petroleum dry cleaning facilities in this Commonwealth by submitting the facility operating permits to the EPA as revisions to the SIP. This creates an administrative and financial burden on the owners and operators of these facilities because each time the owner or operator wants to modify the facility, the change in the operating permit must be submitted to the EPA as a revision to the SIP for that operating permit. The owner or operator of the facility bears the administrative burden and costs of advertising the change and conducting the SIP public hearing and public comment period required before submitting the changes to the EPA as a revision to the SIP. This proposed rulemaking, if approved as a revision to the Commonwealth's SIP revision, would establish the Federally approved limits for large petroleum dry cleaning facilities. The owners and operators of small petroleum dry cleaning facilities that do not meet the applicability threshold to comply with the RACT requirements for the large petroleum dry cleaning facilities would thus be exempted from having to meet RACT and would no longer have to submit changes to their operating permits to the EPA as revisions to the SIP.

This proposed rulemaking would adopt NSPS requirements at 40 CFR Part 60, Subparts III, NNN and RRR by reference and apply them to all the chemicals in the CTG RACT. These existing NSPS requirements will apply for the SOCMI source categories in this proposed rulemaking to satisfy RACT for the recommendations provided in the EPA's SOCMI CTGs. Chemical processes regulated under the NSPS overlap with the chemical processes addressed by the CTG recommendations, but there are some differences in the chemical processes covered under each set of requirements. The Department addressed these differences by adding a table of chemicals to the proposed rulemaking combining all the chemicals from the CTGs as well as from the federal NSPS rules. The Department would adopt the NSPS requirements by reference for all existing sources and chemical processes covered by the SOCMI CTGs. The owners and operators of the known existing facilities in this Commonwealth that would be subject to the proposed SOCMI CTG RACT requirements are currently subject to the Federal NSPS requirements, which are incorporated into their operating permits. Compliance with their existing operating permit conditions would ensure compliance with the proposed VOC RACT requirements. Thus, this proposed rulemaking does not appear to impact the owners or operators of existing SOCMI facilities in this Commonwealth beyond requirements they currently meet. Since BAT applies to owners and operators that construct and operate future facilities, the Department does not anticipate adverse impact from this proposed rulemaking on the owners and operators of future SOCMI facilities. BAT, over time, tends to be more stringent than NSPS requirements or CTG-based RACT recommendations, but cannot be less stringent.

The VOC RACT standards, emission limitations and other requirements established by this proposed rulemaking would not require the owner or operator of a subject facility to submit an application for amendments to an existing operating permit. These requirements would be incorporated when the operating permit is renewed if less than 3 years remain in the operating permit term, as specified under 25 Pa. Code § 127.463(c) (relating to operating permit revisions to incorporate applicable standards). If 3 years or more remain in the operating permit term, the requirements would be incorporated as applicable requirements in the operating permit within 18 months of the promulgation of the final-form rulemaking, as required under § 127.463(b).

(12) How does this regulation compare with those of the other states? How will this affect Pennsylvania's ability to compete with other states?

Under the CAA, CTG-based RACT rulemakings are required of all states in the OTR and in all similar ozone nonattainment areas in the United States. This proposed rulemaking would have no effect on this Commonwealth's ability to compete with other states, since other states would apply the same or similar requirements to the owners and operators of subject facilities within their jurisdiction.

(13) Will the regulation affect any other regulations of the promulgating agency or other state agencies? If yes, explain and provide specific citations.

No other regulations promulgated by this agency or other State agencies would be affected.

(14) Describe the communications with and solicitation of input from the public, any advisory council/group, small businesses and groups representing small businesses in the development and drafting of the regulation. List the specific persons and/or groups who were involved. ("Small business" is defined in Section 3 of the Regulatory Review Act, Act 76 of 2012.)

The Department consulted with the Air Quality Technical Advisory Committee (AQTAC) and the Small Business Compliance Advisory Committee (SBCAC) on this proposed rulemaking on October 15, 2020,

and October 28, 2020, respectively. Other than two abstentions in the AQTAC vote, both committees voted unanimously to concur with the Department's recommendation to move this proposed rulemaking forward to the Board for consideration. In addition, this proposed rulemaking was discussed with the Citizens Advisory Council (CAC) Policy and Regulatory Oversight (PRO) Committee on November 9, 2020. On the recommendation of the PRO Committee, on November 17, 2020, the CAC concurred with the Department's recommendation to move this proposed rulemaking forward to the Board. The AQTAC, SBCAC and CAC meetings are advertised and open to the public.

(15) Identify the types and number of persons, businesses, small businesses (as defined in Section 3 of the Regulatory Review Act, Act 76 of 2012) and organizations which will be affected by the regulation. How are they affected?

The owner and operator of a shipbuilding and ship repair facility that builds, repairs, repaints, converts or alters a ship would be subject to the proposed VOC RACT requirements for shipbuilding and ship repair surface coating operations. For purposes of these applicable requirements, a ship is a commercial or military marine or fresh-water vessel that is 20 meters or more in length. There are two known facilities in this Commonwealth. DEP looked at the size standard based on the Small Business Administration's North American Industry Classification System (NAICS) codes and for NAICS code 336611 the size requirement is 1250 employees. Donjon Shipbuilding and Repair, LLC has 70 employees. Heartland Fabrication has 200 employees. Both facilities are small businesses under 13 CFR Ch. 1 Part 121 (relating to Small Business Size Regulations) or its successor regulation (Def. added June 29, 2012, P.L.657, No.76), hereafter referred to as small business regulation. The owners and operators of both facilities are already subject to and comply with existing operating permit conditions that would ensure compliance with the proposed rulemaking.

The owner and operator of a petroleum dry cleaning facility that uses 123,000 liters (32,493 gallons) or more of petroleum solvent annually would be subject to the proposed VOC RACT requirements for petroleum dry cleaning facilities. There currently are no known large petroleum dry cleaning facilities in this Commonwealth. However, there are small petroleum dry cleaners that fall into this source category. DEP looked at the size standard based on the Small Business Administration's NAICS codes and for the NAICS code 812320 the size requirement is 6 million dollars of revenue. None of the petroleum dry cleaning facilities had revenues exceeding 6 million dollars. All the petroleum dry cleaning facilities meet the definition of small businesses in the small business regulation. This proposed rulemaking would benefit the owners and operators of small petroleum dry cleaning facilities, of which there are fewer than 20 known to be operating in this Commonwealth. The Commonwealth has historically addressed the RACT status of the small petroleum dry cleaning facilities in this Commonwealth by stating the facility permits limited the petroleum usage to quantities below the CTG recommended usage threshold. In the future, permit requirements may need to be submitted to the EPA as SIP revisions to meet the control measures required under CTG RACT. This creates a burden on the owners and operators of these facilities because each time the owner or operator wants to modify the facility, the change in the operating permit must be submitted to the EPA as a revision to the SIP for that operating permit. The owner or operator of the facility bears the administrative burden and costs of advertising the change and conducting the SIP public hearing and public comment period required before submitting the changes to the EPA as a revision to the SIP. This proposed rulemaking, if approved as a revision to the Commonwealth's SIP revision, would establish the Federally approved limits for large petroleum dry cleaning facilities for the 2015 ozone NAAQS. The owners and operators of small petroleum dry cleaning facilities that do not meet the applicability threshold under the proposed rule to comply with the RACT recommendation in the large petroleum dry cleaning CTG would thus be exempted from having to meet RACT for the 2015 ozone

NAAQS. Small petroleum dry cleaning facilities would no longer need to submit changes to their operating permits to the EPA as revisions to the SIP.

The owner and operator of a SOCMI facility with an air oxidation, distillation or reactor process would be subject to the proposed SOCMI VOC RACT requirements. The Department has identified five potentially affected facilities operating in this Commonwealth. DEP looked at the size standard based on the Small Business Administration's NAICS codes and for the NAICS codes 325199, 424690, 325995 and 325120. The size requirement for NAICS code 325199 is 1250 employees. The size requirements for NAICS 424690 is 150 employees. The size requirements for NAICS 325995 is 500 employees. The NAICS code 325120 was not found on the small business regulation list. Interstate Chemical (NAICS code 325995) has 335 employees and is a small business. Lake Erie Biofuels LLC (NAICS code 325199) has 91 employees and is a small business. Matheson Tri Gas (NAICS code 325120) has 9000 employees and is not a small business. Shell Chemical Appalachia (NAICS code 424690) has 49 employees and is a small business. Geospecialty Chemicals (NAICS code 325199) has 390 employees and is small business. The owners and operators of these five known SOCMI facilities already meet RACT recommendations found in the CTG through operating permits that incorporate the NSPS requirements, CTG standards and BAT requirements that provide equivalent control measures. Compliance with their existing operating permit conditions would ensure that the affected owners and operators comply with the applicable CTG-based VOC RACT standards, emission limitations and other requirements in this proposed rulemaking.

VOC RACT emission limitations established by this proposed rulemaking, if published as a final-form rulemaking in the *Pennsylvania Bulletin*, would not require the submission of applications for amendments to existing operating permits. These requirements would be incorporated as applicable requirements at the time of operating permit renewal, if less than 3 years remain in the operating permit term, as specified under § 127.463(c) (relating to operating permit revisions to incorporate applicable standards). If 3 years or more remain in the operating permit term, the requirements would be incorporated as applicable requirements in the operating permit within 18 months of the promulgation of the final-form rulemaking, as required under § 127.463(b). Consequently, the owner and operator of an affected facility may realize a savings equal to the fee for submitting an application for an amendment to an existing operating permit, if an amendment to the operating permit is not required.

(16) List the persons, groups or entities, including small businesses, that will be required to comply with the regulation. Approximate the number that will be required to comply.

The Department has identified two shipbuilding facilities, five SOCMI facilities and fewer than 20 small petroleum dry cleaning facilities that would potentially be subject to the proposed VOC RACT requirements.

The owners and operators of the two shipbuilding facilities are permitted and currently meet the VOC content limit recommendations in the CTG for shipbuilding and ship repair surface coating operations and would comply with the proposed presumptive RACT requirements based on their compliance with the current obligations in their operating permits. One other facility in the City of Philadelphia is operating under a Philadelphia Air Management Services regulation, which has been approved as a revision to the Commonwealth's SIP.

The proposed requirements for the owners and operators of large petroleum dry cleaning facilities is consistent with the example regulation provided in the CTG for large petroleum dry cleaners. This proposed rulemaking would apply to the owner or operator of a large petroleum dry cleaning facility that uses 123,000 liters (32,493 gallons) or more of petroleum solvent annually. This Commonwealth does not

currently have petroleum dry cleaning facility owners and operators that use this much petroleum solvent annually; therefore, the owners and operators of the existing petroleum dry cleaning facilities are not expected to be impacted by this proposed rulemaking. If this proposed rulemaking is published as final-form rulemaking in the *Pennsylvania Bulletin* and then approved by the EPA as a revision to the Commonwealth's SIP, the owners and operators of these small petroleum dry cleaning facilities would be below the applicable threshold of the proposed RACT requirements. These owners and operators would no longer need to review and potentially amend their operating permits to address facility modifications and then submit their amended operating permits as revisions to the SIP for the 2015 ozone NAAQS.

The Department based the SOCMI requirements of this proposed rulemaking on the City of Philadelphia's existing SIP-approved SOCMI RACT regulation. See Philadelphia Air Management Services (AMS) Regulation V (Control of Emissions from Stationary Sources), XVI. Like the AMS regulation, this proposed rulemaking would adopt by reference the existing NSPS subparts III, NNN, RRR for the SOCMI source category as RACT to meet the SOCMI CTG recommendations. The owners and operators of the potentially affected SOCMI facilities have operating permits that currently meet the NSPS requirements and would comply with the proposed requirements without implementing additional measures. The owner and operator of one existing air oxidation facility already meets the proposed RACT requirements with EPA SIP approved operating permit obligations and would continue to do so under this proposed rulemaking.

This proposed rulemaking would not reduce employment or eliminate jobs at the affected shipbuilding and ship repair surface coating operations, petroleum dry cleaning facilities or SOCMI processes. The owners and operators of these facilities have prior experience with regulatory programs and are technically capable of implementing the proposed requirements.

Please also see the response to Question 15.

(17) Identify the financial, economic and social impact of the regulation on individuals, small businesses, businesses and labor communities and other public and private organizations. Evaluate the benefits expected as a result of the regulation.

This proposed rulemaking would have very low to no adverse financial, economic or social impact on individuals, small businesses, businesses, labor communities and other public and private organizations. Rather, the proposed control measures would establish a regulatory basis for RACT for these source categories and, if approved as a revision to Pennsylvania's SIP, would remove the administrative burden and costs on affected owners and operators to submit changes in their operating permits to the EPA as revisions to the SIP. The Department would benefit from reduced administrative costs associated with processing changes to operating permits that would now incorporate the Federally enforceable presumptive RACT regulatory provisions.

High concentrations of ground-level ozone can cause and exacerbate respiratory ailments and allergies. Implementation of the proposed control measures would maintain the ambient concentrations for ground-level ozone and sustain the improvements that have been achieved in social well-being and public health in this Commonwealth through decreased incidences of respiratory ailments and allergies. While children, the elderly and those with respiratory problems are most at risk, even healthy individuals may experience increased respiratory ailments and other symptoms when they are exposed to high levels of ambient ground-level ozone while engaged in activities that involve physical exertion.

Maintaining the ambient concentrations of ground-level ozone would also lead to better social well-being through sustaining the improved growth and yields of agricultural crop and commercial forest products, as well as increased survival of ornamental trees and shrubs used in residential and business-park landscaping.

In addition to the emissions control benefits from cleaner new facilities, the owners and operators of both existing and new sources of VOC for the affected source categories would not need to have operating permit conditions incorporated into Pennsylvania's SIP to meet Federal CAA RACT obligations. This would make addressing operating permit changes and source modifications easier and more efficient. Implementation of this proposed rulemaking would also provide benefits towards the attainment and maintenance of the 2015 ozone NAAQS across Pennsylvania by establishing presumptive RACT control measures for the owners and operators of all existing and new facilities covered by these CTG-based RACT requirements.

(18) Explain how the benefits of the regulation outweigh any cost and adverse effects.

This proposed rulemaking is expected to have very low to no cost or adverse effects. Rather, the proposed control measures would establish a regulatory basis for RACT for these source categories and, if approved as a revision to Pennsylvania's SIP, would remove the administrative burden and costs on affected owners and operators to submit changes in their operating permits to the EPA as revisions to the SIP. The Department would also benefit from reduced administrative burdens in processing changes to operating permits that would now be covered by regulatory presumptive RACT requirements.

Please also see the response to Question 17.

(19) Provide a specific estimate of the costs and/or savings to the regulated community associated with compliance, including any legal, accounting or consulting procedures which may be required. Explain how the dollar estimates were derived.

There are no anticipated costs to the regulated community associated with this proposed rulemaking. This proposed rulemaking is designed to address administrative issues associated with not having presumptive RACT regulations approved as part of the Commonwealth's SIP. The Department anticipates cost savings for the Department as well as the affected facility owners and operators as there would be no need to submit changes in individual operating permits to the EPA as revisions to the SIP. The cost savings in terms of time and resources to owners and operators for eliminating the need to submit SIP revisions of new or amended operating permits to the EPA for approval into the Commonwealth's SIP would vary by facility and type of operating permit change.

Compliance costs for the owners and operators of affected shipbuilding and ship repair surface coating operations, large petroleum dry cleaning facilities and SOCMI processes are projected to be negligible. The owners and operators of potentially affected facilities are expected to already comply with the proposed RACT requirements for each specific source category. The owners and operators of the known affected facilities are already subject to and comply with BAT and NSPS requirements or other operating permit conditions that are as stringent as the proposed VOC RACT standards, emission limitations and other requirements.

New legal, accounting or consulting procedures would not be required.

(20) Provide a specific estimate of the costs and/or savings to local governments associated with compliance, including any legal, accounting or consulting procedures which may be required. Explain how the dollar estimates were derived.

No local government currently owns or operates a shipbuilding and ship repair surface coating facility, a large petroleum dry cleaning facility or a SOCMI processes facility. If a local government did, however, own or operate any of these subject facilities in the future, the additional costs or savings are anticipated to be commensurate with those for the private sector.

(21) Provide a specific estimate of the costs and/or savings to state government associated with the implementation of the regulation, including any legal, accounting, or consulting procedures which may be required. Explain how the dollar estimates were derived.

No State government agency currently owns or operates a shipbuilding and ship repair surface coating facility, a large petroleum dry cleaning facility or a SOCMI processes facility. If a State government agency did, however, own or operate any of these subject facilities in the future, the additional costs or savings are anticipated to be commensurate with those for the private sector.

As noted in the response to Question 19, the Department anticipates cost savings for the Department as there would be no need to submit changes in individual operating permits to the EPA as revisions to the SIP. However, the Department is unable to estimate the cost savings in terms of time and resources because permitting review varies by facility and type.

(22) For each of the groups and entities identified in items (19)-(21) above, submit a statement of legal, accounting or consulting procedures and additional reporting, recordkeeping or other paperwork, including copies of forms or reports, which will be required for implementation of the regulation and an explanation of measures which have been taken to minimize these requirements.

No additional legal, accounting, or consulting procedures are expected for the groups identified in items (19)-(21) above.

(22a) Are forms required for implementation of the regulation?

No forms are required for implementation of these proposed presumptive RACT requirements.

(22b) If forms are required for implementation of the regulation, attach copies of the forms here. If your agency uses electronic forms, provide links to each form or a detailed description of the information required to be reported. Failure to attach forms, provide links, or provide a detailed description of the information to be reported will constitute a faulty delivery of the regulation.

No forms are required.

(23) In the table below, provide an estimate of the fiscal savings and costs associated with implementation and compliance for the regulated community, local government, and state government for the current year and five subsequent years.

No measurable costs or savings are anticipated from the implementation of this proposed rulemaking; hence the table contains zeros.

	Current FY Year	FY+1 Year 21/22	FY+2 Year 22/23	FY+3 Year 23/24	FY+4 Year 24/25	FY+5 Year 25/26
SAVINGS:	$	$	$	$	$	$
Regulated Community	0.00	0.00	0.00	0.00	0.00	0.00
Local Government	0.00	0.00	0.00	0.00	0.00	0.00
State Government	0.00	0.00	0.00	0.00	0.00	0.00
Total Savings	0.00	0.00	0.00	0.00	0.00	0.00
COSTS:	$	$	$	$	$	$
Regulated Community	0.00	0.00	0.00	0.00	0.00	0.00
Local Government	0.00	0.00	0.00	0.00	0.00	0.00
State Government	0.00	0.00	0.00	0.00	0.00	0.00
Total Costs	0.00	0.00	0.00	0.00	0.00	0.00
REVENUE LOSSES:	$	$	$	$	$	$
Regulated Community	0.00	0.00	0.00	0.00	0.00	0.00
Local Government	0.00	0.00	0.00	0.00	0.00	0.00
State Government	0.00	0.00	0.00	0.00	0.00	0.00
Total Revenue Losses	0.00	0.00	0.00	0.00	0.00	0.00

(23a) Provide the past three-year expenditure history for programs affected by the regulation.

Program	FY-3 (18/19)	FY-2 (19/20)	FY-1 (20/21)	Current FY (21/22)
Environmental Program Management (161-10382)	$30,932,000	$27,920,000	$32,041,000	$34,160,000
Clean Air Fund Major Emission Facilities (215-20077)	$17,878,000	$18,759,000	$20,801,000	$20,083,000
Clean Air Fund Mobile and Area Facilities (233-20084)	$9,369,000	$9,900,000	$11,290,000	$10,153,000

(24) For any regulation that may have an adverse impact on small businesses (as defined in Section 3 of the Regulatory Review Act, Act 76 of 2012), provide an economic impact statement that includes the following:

(a) An identification and estimate of the number of small businesses subject to the regulation.

This proposed rulemaking would apply to the owner and operator of a shipbuilding and ship repair surface coating operation, a large petroleum dry cleaning facility, or a SOCMI air oxidation, distillation or reactor process. The Department reviewed its databases and list of issued operating permits and identified 2

shipbuilding and ship repair surface coating operations, 1 SOCMI air oxidation process operation, and several SOCMI distillation and reactor process facilities that would potentially be affected by this proposed rulemaking. The Department also identified less than 20 small petroleum dry cleaning facilities that fit the petroleum dry cleaning source category for RACT purposes but do not meet the applicability threshold for a large petroleum dry cleaning facility.

Based on the Department's review of its databases, all of the affected facilities have been identified since they are required to report emissions to the Department's emission inventory system, apply for plan approvals or have been issued permits meeting the CTG RACT requirements and limitations addressed in this proposed rulemaking.

There are no large petroleum dry cleaning facilities in this Commonwealth that would be impacted by this proposed rulemaking; small petroleum dry cleaners below the proposed emission limit threshold would only be subject to recordkeeping requirements, which are existing obligations under federal new source performance standard (NSPS) requirements and permitting regulations. See, 40 CFR Part 60, Subpart JJJ. The owners and operators of the two known shipbuilding and ship repair surface coating operations that would be subject to this rulemaking already meet the proposed CTG RACT requirements through existing permit conditions. Another facility in the City of Philadelphia is already subject to a Philadelphia Air Management Services regulation that has been approved as a revision to the Commonwealth's SIP. All of the SOCMI facilities meet the CTG RACT requirements and limitations through equivalent Federal requirements (40 CFR Part 60, Subparts III, NNN and RRR) or through existing permit conditions. Therefore, all existing facilities in this Commonwealth that would be subject to the proposed rulemaking already comply with the proposed CTG RACT requirements and emission limits.

The owners and operators of shipbuilding and ship repair surface coating operations identified, along with any large petroleum dry cleaning facility opened in the future could be small businesses. SOCMI facilities, however, are typically larger facilities and are less likely to be small businesses.

Also, see the response to question 15.

(b) The projected reporting, recordkeeping and other administrative costs required for compliance with the proposed regulation, including the type of professional skills necessary for preparation of the report or record.

The recordkeeping and reporting requirements for owners and operators of the potentially affected facilities should be minimal because the records required by this proposed rulemaking are in line with what the regulated industry currently tracks for inventory purposes or in existing operating permits. The owner or operator of a facility subject to this proposed rulemaking would be required to maintain records sufficient to demonstrate compliance with the applicable requirements. The records would be maintained on site for 5 years, unless a longer period is required by an order, plan approval or operating permit issued under 25 Pa. Code Chapter 127. Records maintained for compliance demonstrations may include purchase, use, production and other records. There are no further legal, accounting or consulting procedures established in this proposed rulemaking.

(c) A statement of probable effect on impacted small businesses.

The owners and operators of the affected facilities already meet the RACT recommendations in the CTG through operating permits that incorporate the NSPS requirements, CTG standards and BAT requirements that provide equivalent control measures. (See response to question 15). Compliance with their existing

operating permit conditions would ensure that the affected owners and operators comply with the applicable CTG-based VOC RACT standards, emission limitations and other requirements in this proposed rulemaking.

The owners and operators of sources subject to this proposed rulemaking that were installed after the 1997 ozone NAAQS was issued would be required to meet a BAT operating permit requirement. Thus, the owners and operators of all potentially affected sources that comply with their existing operating permit conditions would be expected to comply with the VOC RACT standards, emission limitations and other requirements of this proposed rulemaking and would have no additional applicable RACT requirements.

(d) A description of any less intrusive or less costly alternative methods of achieving the purpose of the proposed regulation.

There are no less intrusive or less costly alternative regulatory provisions available. The Department included flexibilities within this proposed rulemaking, specifically with respect to compliance options for shipbuilding and ship repair facilities. The compliance options included in the proposed amendments to § 129.52 would allow them to meet the equivalency requirements in the equivalency provisions of 25 Pa. Code § 129.51. This proposed rulemaking is a Federal CAA requirement, applicable to the owners and operators of all subject sources that meet the applicable VOC emission thresholds regardless of business size. In accordance with sections 172(c)(1), 182(b)(2)(A) and 184(b)(1)(B) of the CAA, this proposed rulemaking establishes the VOC RACT emission limitations and other requirements consistent with the EPA's applicable CTG recommendations for these sources in this Commonwealth.

(25) List any special provisions which have been developed to meet the particular needs of affected groups or persons including, but not limited to, minorities, the elderly, small businesses, and farmers.

Minorities, the elderly, small businesses and farmers who are not owners or operators of a shipbuilding and ship repair surface coating operation, a large petroleum dry cleaning facility or a SOCMI process would not be affected by this proposed rulemaking. For those that might be owners or operators of a subject facility, no special provisions are necessary.

(26) Include a description of any alternative regulatory provisions which have been considered and rejected and a statement that the least burdensome acceptable alternative has been selected.

This proposed rulemaking is considered the least burdensome acceptable method of ensuring compliance with the Federal CTG-based RACT mandate. In accordance with sections 172(c)(1), 182(b)(2)(A) and 184(b)(1)(B) of the CAA, this proposed rulemaking establishes the VOC RACT standards, emission limitations and other requirements consistent with the EPA's applicable CTG recommendations for these sources in Pennsylvania.

(27) In conducting a regulatory flexibility analysis, explain whether regulatory methods were considered that will minimize any adverse impact on small businesses (as defined in Section 3 of the Regulatory Review Act, Act 76 of 2012), including:

(a) The establishment of less stringent compliance or reporting requirements for small businesses.

Minimal adverse impact is expected for the owners and operators of small business-sized shipbuilding and ship repair surface coating operations because compliant VOC content coating materials are readily available and the known potentially affected facility owners and operators already use those coatings. The owners and operators of these known potentially affected shipbuilding and ship repair surface coating operations also already have requirements incorporated into their existing operating permits that are consistent with the CTG RACT recommendations. Compliance with their existing operating permit conditions would ensure compliance with the proposed VOC RACT standards, emission limitations and other requirements.

There are no known large petroleum dry cleaning facilities in this Commonwealth that would potentially be subject to the proposed rulemaking requirements.

The owners and operators of the known potentially affected SOCMI facilities already have incorporated into their operating permits the NSPS subparts III, NNN and RRR requirements that are proposed to be adopted by reference as VOC RACT. Compliance with their existing operating permit conditions would ensure compliance with the proposed VOC RACT standards, emission limitations and other requirements.

Less stringent compliance requirements for the owners and operators of facilities that would be subject to the proposed requirements are not available, as this proposed rulemaking must implement Federally approvable RACT requirements to achieve and maintain the 2015 ozone NAAQS. The Department proposes minimal recordkeeping and reporting requirements consistent with current obligations incorporated into applicable operating permits, which should ensure compliance with the proposed VOC RACT recordkeeping and reporting requirements.

(b) The establishment of less stringent schedules or deadlines for compliance or reporting requirements for small businesses.

Minimal adverse impact is expected for the owners and operators of small business-sized facilities to meet compliance deadlines or to implement the reporting and recordkeeping requirements. The owners and operators of affected shipbuilding and ship repair surface coating operations shall comply beginning on the date of promulgation of this proposed rulemaking. These facility owners and operators are already subject to and comply with existing operating permit conditions that would ensure compliance with the proposed recordkeeping and reporting requirements and VOC content standards and emission limitations, so no additional time is needed for these facility owners and operators to achieve compliance.

The requirements for the owners and operators of large petroleum dry cleaning facilities apply beginning on the date of promulgation of this proposed rulemaking. Currently there are no known large petroleum dry cleaning facility owners and operators in this Commonwealth that would be impacted by these proposed requirements. Any new large petroleum dry cleaner would be subject to BAT in addition to the proposed requirements. BAT is usually more stringent than RACT. The owners and operators of the known existing small petroleum dry cleaning facilities do not use enough petroleum solvent to meet the proposed applicability threshold and would not be subject to the proposed VOC RACT standards, emission limitations and other requirements.

The owners and operators of the potentially affected SOCMI processes shall comply with the proposed requirements no later than 2 years after the date of promulgation of this proposed rulemaking. All known facilities affected by this proposed rulemaking already meet the requirements and would be subject to requirements on the effective date of the final-form rulemaking. If a facility is found that does not meet the requirements of the proposed rulemaking, two years is ample time for facility owners and operators at such a facility to comply with the requirements of this proposed rulemaking.

(c) The consolidation or simplification of compliance or reporting requirements for small businesses.

Minimal adverse impact is expected for the owners and operators of small business-sized facilities. The compliance options in this proposed rulemaking should allow the owners and operators of small business-sized facilities to find an acceptable method of compliance appropriate to their operations. The compliance options in this proposed rulemaking for shipbuilding facilities in 25 Pa. Code § 129.52 would allow them to meet the equivalency requirements in 25 Pa. Code § 129.51.

(d) The establishment of performing standards for small businesses to replace design or operational standards required in the regulation.

Minimal adverse impact is expected for the owners and operators of small business-sized facilities. This proposed rulemaking includes performance standards. If an owner or operator of an affected shipbuilding and ship repair surface coating operation, including a small business, chooses not to comply solely by using low-VOC content coating materials, the owner or operator may comply by using some low-VOC content coating materials or using a VOC emission capture system and add-on air pollution control device, or both, that meet a specified emission rate. In other words, this proposed rulemaking provides different ways to achieve the desired emission levels. Similar options for installation of a VOC emission capture system and add-on air pollution control device would exist for the owners and operators of large petroleum dry cleaning facilities. SOCMI facilities are less likely to be small businesses based upon the CTG applicability requirements. The owners and operators of the potentially affected known SOCMI facilities already use thermal devices to control VOC emissions from their vent streams to comply with their existing applicable operating permit conditions. Compliance with the existing applicable operating permit conditions would ensure compliance with the proposed VOC RACT standards, emission limitations and other requirements. (See response to question 15.)

(e) The exemption of small businesses from all or any part of the requirements contained in the regulation.

Promulgating CTG-based VOC RACT regulations for specific categories of sources is a Federal CAA requirement. These VOC RACT regulations apply to the owners and operators of the specific sources that meet the applicable VOC emission thresholds regardless of business size. The owner and operator of a subject facility may be classified as a small business under the Federal Small Business Size Regulations under 13 CFR Chapter 1, Part 121, while still emitting sufficient emissions of VOC to be subject to regulations designed to implement measures for the control of those VOC emissions.

The owners and operators of small businesses may not be exempted from the proposed RACT requirements by State regulation.

(28) If data is the basis for this regulation, please provide a description of the data, explain in detail how the data was obtained, and how it meets the acceptability standard for empirical, replicable and testable data that is supported by documentation, statistics, reports, studies or research. Please submit data or supporting materials with the regulatory package. If the material exceeds 50 pages, please provide it in a searchable electronic format or provide a list of citations and internet links that, where possible, can be accessed in a searchable format in lieu of the actual material. If other data was considered but not used, please explain why that data was determined not to be acceptable.

As explained above in the responses to Questions 9 and 10, the Commonwealth's SIP must include CTG-based RACT regulations to control VOC emissions from shipbuilding and ship repair surface coating operations, large petroleum dry cleaning facilities and SOCMI processes. Section 183(e) of the CAA directed the EPA to conduct a study of VOC emissions from the use of consumer and commercial products to assess their potential to contribute to violations of the NAAQS for ozone and to list for regulation those categories of products that account for at least 80% of the VOC emissions, on a reactivity-adjusted basis, from consumer and commercial products in areas that violate the NAAQS for ozone (namely, ozone nonattainment areas). The EPA published the initial list at 60 FR 15264 (March 23, 1995).

The following list provides more complete citations for the data and information referenced in this Regulatory Analysis Form:

State Implementation Plans; General Preamble for Proposed Rulemaking on Approval of Plan Revisions for Nonattainment Areas—Supplement (on Control Techniques Guidelines), 44 FR 53761 (September 17, 1979). https://www.federalregister.gov/citation/44-FR-53761

Alternative Control Techniques Document: Surface Coating Operations at Shipbuilding and Ship Repair Facilities, EPA-453/R-94-032. U.S. Environmental Protection Agency, Research Triangle Park, NC, April 1994. https://www.epa.gov/ground-level-ozone-pollution/control-techniques-guidelines-and-alternative-control-techniques

Control Techniques Guidelines for Shipbuilding and Ship Repair Operations (Surface Coating), 61 FR-44050 (August 27, 1996). https://www.epa.gov/sites/production/files/2020-09/documents/61_fr_1996-08-27_44050.pdf

Guideline Series, Control of Volatile Organic Compound Emissions from Reactor Processes and Distillation Operations Process in Synthetic Organic Chemical Manufacturing Industry, EPA 450/4-91-031. U.S. Environmental Protection Agency, Office of Air Quality Planning and Standards, EPA, August 1993. https://www.epa.gov/ground-level-ozone-pollution/control-techniques-guidelines-and-alternative-control-techniques

Guideline Series, Control of Volatile Organic Compound Emissions from Air Oxidation Process in Synthetic Organic Chemical Manufacturing Industry, EPA 450/3-84-015. U.S. Environmental Protection Agency, Office of Air Quality Planning and Standards, EPA, December 1984. https://www.epa.gov/ground-level-ozone-pollution/control-techniques-guidelines-and-alternative-control-techniques

Guideline Series, Control of Volatile Organic Compound Emissions from Large Petroleum Dry Cleaners, EPA 450/3-82-009. U.S. Environmental Protection Agency, Office of Air Quality Planning and Standards, EPA, September 1982. https://www.epa.gov/ground-level-ozone-pollution/control-techniques-guidelines-and-alternative-control-techniques

(29) Include a schedule for review of the regulation including:

A. The length of the public comment period:	66 days
B. The date or dates on which public meetings or hearings will be held:	March 1, 3 and 4, 2022
C. The expected date of delivery of the final-form regulation:	3rd Quarter 2022
D. The expected effective date of the final-form regulation:	4th Quarter 2022
E. The expected date by which compliance with the final-form regulation will be required:	Upon publication of the final-form rulemaking
F. The expected date by which required permits, licenses or other approvals must be obtained:	Not Applicable

(30) Describe the plan developed for evaluating the continuing effectiveness of the regulations after its implementation.

The Board is not establishing a sunset date for this proposed rulemaking since it is needed for the Department to carry out its statutory authority. The Department will closely monitor this proposed rulemaking after promulgation as a final-form rulemaking in the *Pennsylvania Bulletin* for its effectiveness and recommend updates to the Board as necessary.

CDL-1

FACE SHEET
FOR FILING DOCUMENTS
WITH THE LEGISLATIVE REFERENCE BUREAU

(Pursuant to Commonwealth Documents Law)

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Copy below is hereby approved as to form and legality. Attorney General

By: Amy M. Elliott (Deputy Attorney General)

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DN: cn=Amy M. Elliott, o=Pennsylvania Office of Attorney General, ou=Chief Deputy Attorney General, email=...@...pa.gov, c=US
Date: 2021.12.23 08:53:36 -05'00'

12/23/21
DATE OF APPROVAL

☐ Check if applicable
Copy not approved. Objections attached.

Copy below is hereby certified to be true and correct copy of a document issued, prescribed or promulgated by:

DEPARTMENT OF ENVIRONMENTAL PROTECTION
ENVIRONMENTAL QUALITY BOARD

(AGENCY)

DOCUMENT/FISCAL NOTE NO. 7-568

DATE OF ADOPTION September 21, 2021

BY

TITLE PATRICK MCDONNELL
CHAIRPERSON

EXECUTIVE OFFICER CHAIRPERSON OR SECRETARY

Copy below is hereby approved as to form and legality Executive or Independent Agencies

BY

October 6, 2021
DATE OF APPROVAL

(Deputy General Counsel)
(Chief Counsel - Independent Agency)
(Strike inapplicable title)

☐ Check if applicable. No Attorney General Approval or objection within 30 days after submission.

NOTICE OF PROPOSED RULEMAKING

DEPARTMENT OF ENVIRONMENTAL PROTECTION
ENVIRONMENTAL QUALITY BOARD

Amending VOC RACT Requirements for Shipbuilding and Repair Coatings, Synthetic Organic Chemical Manufacturing Industry Processes and Large Petroleum Dry Cleaners for the 2015 Ozone NAAQS

25 Pa. Code Chapters 121 and 129

PROPOSED RULEMAKING
ENVIRONMENTAL QUALITY BOARD

[25 PA CODE CHS. 121 and 129]

VOC RACT Requirements for Shipbuilding and Ship Repair Surface Coatings, Large Petroleum Dry Cleaning Facilities and Synthetic Organic Chemical Manufacturing Industry Processes for the 2015 Ozone NAAQS

The Environmental Quality Board (Board) proposes to amend Chapters 121 and 129 (relating to general provisions; and standards for sources) to establish presumptive volatile organic compound (VOC) reasonably available control technology (RACT) requirements and RACT emission limitations for the following control techniques guidelines (CTG) source categories: shipbuilding and ship repair surface coatings; large petroleum dry cleaning facilities; and synthetic organic chemical manufacturing industry (SOCMI) air oxidation, distillation and reactor processes as set forth in Annex A. This proposed rulemaking would add definitions to § 121.1 (relating to definitions); add shipbuilding and ship repair surface coatings to § 129.52 (relating to surface coating processes); and add §§ 129.63b and 129.71a (relating to control of VOC emissions from large petroleum dry cleaning facilities; and control of VOC emissions from the synthetic organic chemical manufacturing industry — air oxidation, distillation and reactor processes).

If published as a final-form rulemaking in the *Pennsylvania Bulletin*, this proposed rulemaking will be submitted to the United States Environmental Protection Agency (EPA) for approval as a revision to the Commonwealth's State Implementation Plan (SIP).

This proposed rulemaking was adopted by the Board at its meeting of September 21, 2021.

A. *Effective Date*

This proposed rulemaking will be effective upon final-form publication in the *Pennsylvania Bulletin*.

B. *Contact Persons*

For further information, contact Kirit Dalal, Chief, Division of Air Resource Management, Bureau of Air Quality, Rachel Carson State Office Building, P.O Box 8468, Harrisburg, PA 17105-8468, (717) 772-3436; or Jesse Walker, Assistant Counsel, Bureau of Regulatory Counsel, Rachel Carson State Office Building, P.O. Box 8464, Harrisburg, PA 17105-8464, (717) 787-7060. Information regarding submitting comments on this proposed rulemaking appears in Section J of this preamble. Persons with a disability may use the Pennsylvania Hamilton Relay Service, (800) 654-5984 (TDD users) or (800) 654-5988 (voice users). This proposed rulemaking is available on the Department of Environmental Protection's (Department) web site at www.dep.pa.gov (select "Public Participation," then "Environmental Quality Board" and then navigate to the Board meeting of September 21, 2021).

C. *Statutory Authority*

This proposed rulemaking is authorized under section 5(a)(1) of the Air Pollution Control Act (APCA) (35 P.S. § 4005(a)(1)), which grants the Board the authority to adopt rules and regulations for the prevention, control, reduction and abatement of air pollution in this Commonwealth; and section 5(a)(8) of the APCA, which grants the Board the authority to adopt rules and regulations designed to implement the provisions of the Clean Air Act (CAA) (42 U.S.C.A. §§ 7401—7671q).

D. *Background and Purpose*

The purpose of this proposed rulemaking is to implement measures to control VOC emissions Statewide from shipbuilding and ship repair facilities with surface coating operations, large petroleum dry cleaning facilities and SOCMI air oxidation, distillation and reactor processes. VOC emissions are precursors to ground-level ozone formation. Ground-level ozone, a public health and welfare hazard, is not emitted directly to the atmosphere by these processes, but forms from the photochemical reaction between emissions of VOCs and oxides of nitrogen (NOx) in the presence of sunlight.

Ground-level ozone is a highly reactive gas, which at sufficiently high concentrations can produce a wide variety of harmful effects. At elevated concentrations, ground-level ozone can adversely affect human health, animal health, vegetation, materials, and personal comfort and well-being. It can cause damage to important food crops, forests, livestock and wildlife. Repeated exposure to ground-level ozone pollution may cause a variety of adverse health effects for both healthy people and those with existing conditions, including difficulty in breathing, chest pains, coughing, nausea, throat irritation and congestion. It can worsen bronchitis, heart disease, emphysema and asthma, reduce lung capacity and lead to increased morbidity. Asthma is a significant and growing threat to children and adults. High levels of ground-level ozone can affect animals in ways similarly to humans. High levels of ground-level ozone can also cause damage to buildings and synthetic fibers, including nylon, and reduced visibility on roadways and in natural areas. The implementation of these control measures to address ozone air quality nonattainment in this Commonwealth is necessary to protect the public health and welfare, animal and plant health and welfare and the environment.

The EPA is responsible for establishing National Ambient Air Quality Standards (NAAQS), or maximum allowable concentrations in the ambient air, for certain "criteria" pollutants considered harmful to public health and the environment. The criteria air pollutants are commonly found throughout the United States and currently include six air pollutants: ground-level ozone; particle pollution (often referred to as particulate matter); NOx (with nitrogen dioxide (NO_2) as the indicator); carbon monoxide; sulfur dioxide; and lead. Section 109 of the CAA (42 U.S.C.A. § 7409) established two types of NAAQS: primary standards, which are limits set to protect public health; and secondary standards, which are limits set to protect public welfare and the environment, including protection against visibility impairment and from damage to animals, crops, vegetation and buildings. The EPA established primary and secondary ground-level ozone NAAQS to protect public health and public welfare, including the environment.

In July 1997, the EPA promulgated primary and secondary ozone standards under section 109 of the CAA at a level of 0.08 parts per million (ppm) averaged over 8 hours. See 62 FR 38856 (July 18, 1997). Because ozone ambient air monitoring data is measured out to three decimal places, the standard effectively became 0.084 ppm with rounding; areas with ozone levels as high as 0.084 ppm (84 parts per billion (ppb)) were considered to be meeting the 0.08 ppm standard. In 2004, the EPA designated 37 counties in this Commonwealth as 8-hour ozone nonattainment areas for the 1997 8-hour ozone NAAQS. See 69 FR 23858, 23931 (April 30, 2004).

In March 2008, the EPA lowered the primary and secondary ozone NAAQS to 0.075 ppm (75 ppb) averaged over 8 hours to provide greater protection for children, other at-risk populations and the environment against the array of ozone-induced adverse health and welfare effects. See 73 FR 16436 (March 27, 2008). In April 2012, the EPA designated five areas in this Commonwealth as nonattainment for the 2008 ozone NAAQS. See 77 FR 30088, 30143 (May 21, 2012). These areas include all or a portion of Allegheny, Armstrong, Beaver, Berks, Bucks, Butler, Carbon, Chester, Delaware, Fayette, Lancaster, Lehigh, Montgomery, Northampton, Philadelphia, Washington and Westmoreland Counties.

On October 1, 2015, the EPA lowered the primary and secondary ozone NAAQS to 0.070 ppm (70 ppb) averaged over 8 hours for increased protection of the public health and welfare. See 80 FR 65292 (October 26, 2015). In June 2018, the EPA designated Bucks, Chester, Delaware, Montgomery and Philadelphia Counties as nonattainment for the 2015 ozone NAAQS. See 83 FR 25776 (June 4, 2018).

The Department's preliminary analysis of the 2020 ambient air ozone season monitoring data shows that all ozone samplers in this Commonwealth are monitoring attainment of the 2015 8-hour ozone NAAQS except three: the Bristol sampler in Bucks County, and the Philadelphia Air Management Services Northeast Airport and Northeast Waste samplers in Philadelphia County. All ozone samplers in this Commonwealth are projected to monitor attainment of the 2008 and 1997 8-hour ozone NAAQS. The Department must ensure that the 1997, 2008 and 2015 ozone NAAQS are attained and maintained by implementing permanent and Federally enforceable control measures.

Section 110(a) of the CAA (42 U.S.C.A. § 7410(a)) gives the states the primary responsibility for achieving the NAAQS. Section 110(a) of the CAA provides that each state shall adopt and submit to the EPA a plan to implement measures (a SIP) to enforce the NAAQS or a revision to the NAAQS promulgated under section 109(b) of the CAA. A SIP includes the regulatory programs, actions and commitments a state will carry out to implement its responsibilities under the CAA. Once approved by the EPA as a revision to the SIP, the SIP-approved regulatory program, action or commitment is legally enforceable under both Federal and state law.

Section 172(c)(1) of the CAA (42 U.S.C.A. § 7502(c)(1)) provides that SIPs for nonattainment areas must include "reasonably available control measures," including RACT, for sources of emissions of VOC and NOx. The EPA defines RACT as "[t]he lowest emissions limitation that a particular source is capable of meeting by the application of control technology that is reasonably

available considering technological and economic feasibility." See 44 FR 53762 (September 17, 1979).

Section 183(e) of the CAA (42 U.S.C.A. § 7511b(e)) directs the EPA to list for regulation those categories of products that account for at least 80% of the VOC emissions from consumer and commercial products in ozone nonattainment areas. Section 183(e)(3)(C) of the CAA further provides that the EPA may issue a CTG document in place of a National regulation for a product category on the section 183(e) list when the EPA determines that the recommendations of the CTG, when implemented by the affected states, will be "substantially as effective as regulations" in reducing emissions of VOCs in ozone nonattainment areas.

Section 182(b)(2) of the CAA (42 U.S.C.A. § 7511a(b)(2)) provides that for moderate ozone nonattainment areas, states must revise their SIPs to include RACT for sources of VOC emissions covered by a CTG document issued by the EPA prior to the area's date of attainment of the applicable ozone NAAQS. For RACT implementation purposes, the entire Commonwealth is treated as a "moderate" ozone nonattainment area, because this Commonwealth is included in the Ozone Transport Region (OTR) established under sections 176A and 184 of the CAA (42 U.S.C.A. §§ 7506a and 7511c). Section 184(b) of the CAA (42 U.S.C.A. § 7511c(b)) addresses provisions for the SIP of a state included in the OTR. Section 184(b)(1)(B) of the CAA requires that states in the OTR, including the Commonwealth, submit a SIP revision requiring the implementation of RACT for all sources of VOC emissions in the state covered by a specific CTG and not just for those sources that are located in designated nonattainment areas of the state. The EPA's final implementation rule for the 2015 ozone NAAQS also requires a state within the OTR to submit a SIP revision that demonstrates that it is meeting the RACT requirements of section 184(b) of the CAA for all portions of the state located in an OTR. See 83 FR 63036 (December 6, 2018); and 40 CFR 51.1316. Consequently, the Commonwealth's SIP must include regulations applicable Statewide to control VOC emissions from existing stationary sources covered by a specific CTG.

In accordance with sections 172(c)(1), 182(b)(2), 183(e) and 184(b)(1)(B) of the CAA, the proposed amendments to § 129.52 and proposed §§ 129.63b and 129.71a establish VOC RACT emission limitations and other requirements for shipbuilding and ship repair facility surface coating operations, large petroleum dry cleaning facilities and SOCMI air oxidation, distillation and reactor processes consistent with the recommendations of the following EPA documents "Alternative Control Techniques Document: Surface Coating Operations at Shipbuilding and Ship Repair Facilities," EPA-453/R-94-032, April 1994, (1994 SB ACT) and the "Control Techniques Guidelines for Shipbuilding and Ship Repair Operations (Surface Coating)," 61 FR 44050 (August 27, 1996) (1996 SB CTG); "Control of Volatile Organic Compound Emissions from Large Petroleum Dry Cleaners," EPA-450/3-82-009, September 1982 (1982 LPDC CTG); "Control of Volatile Organic Compound Emissions from Air Oxidation Processes in Synthetic Organic Chemical Manufacturing Industry," EPA-450/3-84-015, December 1984 (1984 SOCMI CTG); and "Control of Volatile Organic Compound Emissions from Reactor Processes and Distillation Operations Processes in the Synthetic Organic Chemical Manufacturing Industry," EPA-450/4-91-031, August 1993 (1993 SOCMI CTG).

The Commonwealth is required to submit a SIP revision to the EPA to address and certify RACT for the 2015 8-hour ozone NAAQS and demonstrate how it will bring the nonattainment areas into attainment and maintenance of the 2015 8-hour ozone standard.

This proposed rulemaking would apply to the owners and operators of shipbuilding and ship repair facilities with surface coating operations, large petroleum dry cleaning facilities, and SOCMI air oxidation, distillation and reactor facilities. The Department reviewed its databases, permits and general permits and identified two shipbuilding and ship repair operations, one air oxidation operation, several reactors and distillation facilities and several small petroleum dry cleaning facilities that fit the source categories for RACT purposes. There are no large petroleum dry cleaning facilities in this Commonwealth that would be impacted by this proposed rulemaking; small petroleum dry cleaners below the proposed emission limit threshold would only be subject to recordkeeping requirements, which are existing obligations under Federal new source performance standards (NSPS) requirements and permitting regulations. See, 40 CFR Part 60, Subpart JJJ. The owners and operators of the two known shipbuilding and ship repair surface coating operations that would be subject to this rulemaking already meet the proposed CTG RACT requirements through existing permit conditions. Another facility in the City of Philadelphia is already subject to a Philadelphia Air Management Services regulation that has been approved as a revision to the Commonwealth's SIP. All of the SOCMI facilities meet the CTG RACT requirements and limitations through equivalent Federal requirements (40 CFR Part 60, Subparts III, NNN and RRR) or through existing permit conditions. Therefore, all existing facilities in this Commonwealth that would be subject to the proposed rulemaking already comply with the proposed CTG RACT requirements and emission limits.

This proposed rulemaking is reasonably necessary to attain and maintain the health- and welfare-based 8-hour ground-level ozone NAAQS and to satisfy related CAA requirements in this Commonwealth.

Public Outreach

The Department consulted with the Air Quality Technical Advisory Committee (AQTAC) and the Small Business Compliance Advisory Committee on this proposed rulemaking on October 15, 2020, and October 28, 2020, respectively. Other than two abstentions in the AQTAC vote, both committees voted unanimously to concur with the Department's recommendation to move this proposed rulemaking forward to the Board for consideration. In addition, this proposed rulemaking was discussed with the Citizens Advisory Council (CAC) Policy and Regulatory Oversight (PRO) Committee on November 9, 2020. On the recommendation of the PRO Committee, on November 17, 2020, the CAC concurred with the Department's recommendation to move this proposed rulemaking forward to the Board.

E. *Summary of Regulatory Requirements*

§ 121.1. Definitions

This proposed rulemaking would amend § 121.1 to add several terms and revise existing definitions to support the proposed amendments under Chapter 129. The proposed revisions to

§ 121.1 would incorporate terms as they are defined in EPA's CTGs or Federal NSPS regulations.

§ 129.52. Surface coating processes

This proposed rulemaking would amend § 129.52 to establish VOC RACT requirements and emission limits for shipbuilding and ship repair facilities with surface coating operations consistent with the EPA's 1996 SB CTG.

This proposed rulemaking would amend subsection (a) to establish that this section applies to a shipbuilding or ship repair facility with a surface coating operation that uses or applies more than 264 gallons of one or a combination of coatings listed in Table I, category 12.

Subsection (c)(1) would be amended to require covered facilities to maintain daily records of volume percent of solids for a Table I surface coating process category 12 coating whose VOC content is expressed in units of weight of VOC per volume of coating solids.

This proposed rulemaking would amend Table I to add compliance requirements and emission limits for the VOC content of surface coatings used at shipbuilding or ship repair facilities with coating operations.

§ 129.63b. Control of VOC emissions from large petroleum dry cleaners

This proposed section would establish applicability requirements for large petroleum dry cleaners, definitions for terms used in this section, VOC emission limitations, compliance monitoring and testing requirements, recordkeeping and reporting requirements and exemptions. The proposed definitions for terms used in this section, VOC RACT requirements, limitations and exemptions for large petroleum dry cleaners are consistent with the EPA's 1982 LPDC CTG.

Subsection (a) proposes to require the owner and operator of a petroleum solvent washer, dryer, solvent filter, settling tank, vacuum still, and other containers and conveyors of petroleum solvent used in petroleum dry cleaning facilities which consume 123,000 liters (32,493 gallons) or more of petroleum solvent annually to control their VOC emissions.

Subsection (b) proposes to define the words and terms used in this section, unless the context clearly indicates otherwise.

Subsection (c) proposes to establish the emission limitations for the owner and operator of a petroleum dry cleaning dryer and associated solvent filtration system. This section would require the owner or operator of a petroleum dry cleaning dryer or associated petroleum solvent filtration system to repair a petroleum solvent vapor or liquid leak within 3 working days after identification of the source of the leak.

Subsection (d) proposes to establish compliance monitoring and testing requirements. These requirements include: (1) calculating VOC emissions using EPA test methods and prescribed

specifications; (2) verifying the flow rate of recovered solvents to determine compliance; (3) determining compliance by following procedures specified in the subsection; and (4) performing weekly inspections to establish compliance with the requirements of the subsection.

Subsection (e) proposes to require the owner or operator of a petroleum dry cleaning facility subject to this section to maintain records sufficient to demonstrate compliance.

Subsection (f) proposes to require the owner or operator of a petroleum dry cleaning facility, who claims an exemption to certain requirements in proposed subsections (c)–(e), to maintain records of annual solvent consumption onsite for 5 years. This proposed recordkeeping requirement would enable the Department to verify that the applicability threshold in subsection (a) has not been exceeded.

§ 129.71a. Control of VOC emissions from the synthetic organic chemical manufacturing industry — air oxidation, distillation and reactor processes

This proposed section would establish applicability requirements for a SOCMI facility and the standards for process vents, air oxidation unit processes, distillation operations and reactor processes. This proposed section would also add a table that lists regulated SOCMI chemicals. The proposed VOC RACT requirements, emission limitations and exemptions in this section for SOCMI facility air oxidation, distillation and reactor processes are consistent with the EPA's 1984 SOCMI CTG and 1993 SOCMI CTG.

Subsection (a) proposes to establish applicability requirements for the owner and operator of a SOCMI facility that has a vent stream originating from a process unit in which an air oxidation unit process, distillation operation or reactor process produces one or more of the chemicals listed in Table 1 as a product, coproduct, byproduct or intermediate.

Subsection (b) proposes to establish VOC control provisions and standards for process vents from air oxidation unit processes, distillation operations and reactor processes for the chemicals listed in Table 1 List of Regulated SOCMI Chemicals.

F. *Benefits, Costs and Compliance*

Benefits

The Statewide implementation of the VOC emission control measures in this proposed rulemaking would benefit the health and welfare of the approximately 12.80 million residents and the numerous animals, crops, vegetation and natural areas of this Commonwealth by controlling emissions of VOCs, which are precursors to the formation of ground-level ozone air pollution. Exposure to high concentrations of ground-level ozone is a serious human and animal health threat, causing respiratory illnesses and decreased lung function, leading to a lower quality of life. Improved ambient concentrations of ground-level ozone would reduce the incidences of hospital admissions for respiratory ailments including asthma and improve the quality of life for citizens overall. While children, the elderly and those with respiratory problems are most at risk, even healthy individuals may experience increased respiratory ailments and other symptoms

when they are exposed to high levels of ambient ground-level ozone while engaged in activities that involve physical exertion.

Improved ambient concentrations of ground-level ozone would also lead to better social well-being through improved growth and yields of agricultural crop and commercial forest products, as well as increased survival of ornamental trees and shrubs used in residential and business-park landscaping. In addition to causing adverse human and animal health effects, the EPA has concluded that high levels of ground-level ozone affects vegetation and ecosystems, leading to reductions in agricultural crop and commercial forest yields by destroying chlorophyll; reduced growth and survivability of tree seedlings; and increased plant susceptibility to disease, pests, and other environmental stresses, including harsh weather. In long-lived species, these effects may become evident only after several years or even decades and have the potential for long-term adverse impacts on forest ecosystems. Ozone damage to the foliage of trees and other plants can decrease the aesthetic value of ornamental species used in residential landscaping, as well as the natural beauty of parks and recreation areas.

In addition to the emissions benefits, new sources of VOCs for the indicated source categories would not need to have permit requirements incorporated into the Commonwealth's SIP to meet Federal CAA obligations. This will make addressing permit changes and source modifications easier and more efficient.

Compliance costs

The emission limitations established by this proposed rulemaking would not require the submission of applications for amendments to existing operating permits. The two shipbuilding and repair facilities in this Commonwealth already have the requirements incorporated in their permits, there are no large petroleum dry cleaners operating at or above the proposed applicability limit in this Commonwealth, and the affected SOCMI units in this Commonwealth already incorporate the EPA's NSPS standards into their existing permits. In the rare event that a permit modification would be necessary, these requirements will be incorporated as applicable requirements at the time of permit renewal, if less than 3 years remain in the permit term, as specified under 25 Pa. Code § 127.463(c) (relating to operating permit revisions to incorporate applicable standards). If 3 years or more remain in the permit term, the requirements would be incorporated as applicable requirements in the permit within 18 months of the promulgation of the final-form rulemaking, as required under § 127.463(b). Consequently, the owners and operators of affected facilities may each realize a savings equal to the fee for submitting an application for an amendment to an existing operating permit, if an amendment to the permit application is not required.

There are no anticipated costs associated with this proposed rulemaking. This proposed rulemaking is designed to address administrative issues associated with failing to have CTG RACT-based regulations for these source categories in this Commonwealth. The Department anticipates cost savings for facility owners and operators and the Department as there would be no need to submit amendments to operating permits to the EPA as revisions to the SIP, especially when a facility owner or operator needs to make permit modifications. The exact cost

savings to owners and operators in terms of time and resources for avoiding SIP revisions or permitting actions would vary by facility.

Compliance costs for the owners and operators of affected shipbuilding and ship repair surface coating operations, SOCMI processes, and large petroleum dry cleaners that result from this proposed rulemaking would be negligible. The owners and operators are already in compliance with the proposed CTG RACT requirements for each specific source category. All the known affected facilities are new and meet best available technology and NSPS requirements that are as stringent as the proposed RACT requirements or have permits in place that already meet the proposed RACT requirements.

Compliance assistance plan

The Department will continue to educate and assist the public and the regulated community in understanding the proposed requirements and how to comply with them throughout the rulemaking process. The Department will continue to work with the Department's provider of Small Business Stationary Source Technical and Environmental Compliance Assistance. These services are currently provided by the Environmental Management Assistance Program (EMAP) of the Pennsylvania Small Business Development Centers. The Department has partnered with EMAP to fulfill the Department's obligation to provide confidential technical and compliance assistance to small businesses as required by the APCA, section 507 of the CAA (42 U.S.C.A. § 7661f) and authorized by the Small Business and Household Pollution Prevention Program Act (35 P.S. §§ 6029.201—6029.209).

In addition to providing one-on-one consulting assistance and onsite assessments, EMAP also operates a toll-free phone line to field questions from small businesses in this Commonwealth, as well as businesses wishing to start up in, or relocate to, this Commonwealth. EMAP operates and maintains a resource-rich environmental assistance web site and distributes an electronic newsletter to educate and inform small businesses about a variety of environmental compliance issues.

Paperwork requirements

The recordkeeping and reporting requirements for owners and operators of applicable sources under this proposed rulemaking are minimal because the records required are in line with the records already required to be kept for emission inventory purposes and for other Federal and State requirements.

G. *Pollution Prevention*

The Pollution Prevention Act of 1990 (42 U.S.C.A. §§ 13101—13109) established a national policy that promotes pollution prevention as the preferred means for achieving State environmental protection goals. The Department encourages pollution prevention, which is the reduction or elimination of pollution at its source, through the substitution of environmentally friendly materials, more efficient use of raw materials and the incorporation of energy efficiency strategies. Pollution prevention practices can provide greater environmental protection with

greater efficiency because they can result in significant cost savings to facilities that permanently achieve or move beyond compliance.

Implementation of the proposed CTG RACT requirements would allow the Department and county agencies to control and maintain VOC emissions from the regulated sources in this Commonwealth, sustain the gains made in healthful air quality and ensure continued protection of the environment and the public health and welfare of the citizens of this Commonwealth.

H. *Sunset Review*

The Board is not establishing a sunset date for this proposed rulemaking since it is needed for the Department to carry out its statutory authority. The Department will closely monitor this proposed rulemaking after promulgation as a final-form rulemaking in the *Pennsylvania Bulletin* for its effectiveness and recommend updates to the Board as necessary.

I. *Regulatory Review*

Under section 5(a) of the Regulatory Review Act (71 P.S. § 745.5(a)), on January 4, 2022, the Department submitted a copy of this proposed rulemaking to the Legislative Reference Bureau for publication in the *Pennsylvania Bulletin* and to the Independent Regulatory Review Commission (IRRC) and the Chairpersons of the House and Senate Environmental Resources and Energy Committees. In addition to submitting this proposed rulemaking, the Department has provided IRRC and the House and Senate Committees with a copy of a detailed Regulatory Analysis Form prepared by the Department. A copy of this material is available to the public upon request.

Under section 5(g) of the Regulatory Review Act (71 P.S. § 745.5(g)), IRRC may convey any comments, recommendations or objections to the proposed rulemaking within 30 days of the close of the public comment period. The comments, recommendations or objections must specify the regulatory review criteria in section 5.2 of the Regulatory Review Act (71 P.S. § 745.5b) which have not been met. The Regulatory Review Act specifies detailed procedures for review, prior to final publication of the rulemaking by the Department, the General Assembly and the Governor.

J. *Public Comments*

Interested persons are invited to submit to the Board written comments, suggestions, support, or objections regarding this proposed rulemaking. Comments, suggestions, support or objections must be received by the Board by April 4, 2022.

Comments may be submitted to the Board online by accessing eComment at http://www.ahs.dep.pa.gov/eComment.

Comments may also be submitted by e-mail to RegComments@pa.gov. A subject heading of this proposed rulemaking and a return name and address must be included in each transmission.

If an acknowledgement of comments submitted online or by e-mail is not received by the sender within 2 working days, the comments should be retransmitted to the Board to ensure receipt. Comments submitted by facsimile will not be accepted.

Comments may also be submitted to the Board by mail or express mail. Written comments should be mailed to the Environmental Quality Board, P.O. Box 8477, Harrisburg, PA 17105-8477. Express mail should be sent to the Environmental Quality Board, Rachel Carson State Office Building, 16th Floor, 400 Market Street, Harrisburg, PA 17101-2301.

K. *Public Hearings*

The Board will hold three public hearings for the purpose of accepting comments on this proposed rulemaking. The hearings will be held at 1 p.m. on the following dates:

March 1, 2022	Department of Environmental Protection Rachel Carson State Office Building Room 105 400 Market Street Harrisburg, PA 17101
March 3, 2022	Department of Environmental Protection Southwest Regional Office Building 500 Waterfront Conference Room B 400 Waterfront Drive Pittsburgh, PA 15222
March 4, 2022	Department of Environmental Protection Southeast Regional Office Delaware Conference Room 2 East Main Street Norristown, PA 19401

Persons wishing to present testimony at a hearing are requested to contact the Environmental Quality Board, P.O. Box 8477, Harrisburg, PA 17105-8477, (717) 783-8727, RA-EPEQB@pa.gov, at least 1 week in advance of the hearing to reserve a time to present testimony. Language interpretation services are available upon request. Persons in need of language interpretation services must contact Jennifer Swan at (717) 783-8727 by 5 p.m. on February 22, 2022.

Verbal testimony is limited to 5 minutes for each witness. Witnesses are requested to submit three written copies of their oral testimony to the hearing chairperson at the hearing. Organizations are limited to designating one witness to present testimony on their behalf at each hearing.

Persons in need of accommodations as provided for in the Americans with Disabilities Act of 1990 should contact the Board at (717) 783-8727 or through the Pennsylvania Hamilton Relay

Service at (800) 654-5984 (TDD) or (800) 654-5988 (voice users) to discuss how the Board may accommodate their needs.

PATRICK McDONNELL,
Chairperson

Annex A
TITLE 25. ENVIRONMENTAL PROTECTION
PART I. DEPARTMENT OF ENVIRONMENTAL PROTECTION
SUBPART C. PROTECTION OF NATURAL RESOURCES
ARTICLE III. AIR RESOURCES

CHAPTER 121. GENERAL PROVISIONS

§ 121.1. Definitions.

The definitions in section 3 of the act (35 P. S. § 4003) apply to this article. In addition, the following words and terms, when used in this article, have the following meanings, unless the context clearly indicates otherwise:

* * * * *

Air dried coating—Coatings which are dried by the use of air or forced warm air at temperatures up to 194°F.

***Air flask specialty coating*—For purposes of shipbuilding and ship repair coatings under § 129.52 (relating to surface coating processes), Table I, category 12, a special composition coating that is:**

(i) Applied to interior surfaces of high-pressure breathing air flasks to provide corrosion resistance.

(ii) Certified as safe for use with breathing air supplies.

Airless cleaning system—A solvent cleaning machine that is automatically operated and seals at a differential pressure of 0.50 pounds per square inch gauge (psig) or less, prior to the introduction of solvent or solvent vapor into the cleaning chamber and maintains differential pressure under vacuum during all cleaning and drying cycles.

Airless spray—A spray coating method in which the coating is atomized by forcing it through a small nozzle opening at high pressure. The coating is not mixed with air before exiting from the nozzle opening.

***Air oxidation reactor*—For purposes of § 129.71a (relating to control of VOC emissions from the synthetic organic chemical manufacturing industry — air oxidation, distillation and reactor processes):**

(i) A device or process vessel in which one or more organic reactants are combined with air, or a combination of air and oxygen, to produce one or more organic compounds.

(ii) The term includes ammoxidation and oxychlorination reactions.

Air pollution—The presence in the outdoor atmosphere of any form of contaminant, including, but not limited to, the discharging from stacks, chimneys, openings, buildings, structures, open fires, vehicles, processes or any other source of any smoke, soot, fly ash, dust, cinders, dirt, noxious or obnoxious acids, fumes, oxides, gases, vapors, odors, toxic, hazardous or radioactive

substances, waste or other matter in a place, manner or concentration inimical or which may be inimical to public health, safety or welfare or which is or may be injurious to human, plant or animal life or to property or which unreasonably interferes with the comfortable enjoyment of life or property.

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Ambient air quality standards—Concentrations of air contaminants in the ambient air, as provided for in Chapter 131 (relating to ambient air quality standards).

***Antenna specialty coating*—For purposes of shipbuilding and ship repair coatings under § 129.52, Table I, category 12, a coating applied to equipment through which electromagnetic signals must pass for reception or transmission.**

Antichafe coating—A coating applied to areas of moving aerospace components that may rub during normal operations or installation.

***Antifoulant specialty coating*—For purposes of shipbuilding and ship repair coatings under § 129.52, Table I, category 12, a coating that is:**

(i) Applied to the underwater portion of a vessel to prevent or reduce the attachment of biological organisms.

(ii) Registered with the EPA as a pesticide under the Federal Insecticide, Fungicide, and Rodenticide Act (7 U.S.C.A. §§ 136—136y).

Antique aerospace vehicle or component—An antique aircraft, as defined by 14 CFR Part 45 (relating to identification and registration marking), or components thereof. An antique aerospace vehicle would not routinely be in commercial or military service in the capacity for which it was designed.

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Best available technology—Equipment, devices, methods or techniques as determined by the Department which will prevent, reduce or control emissions of air contaminants to the maximum degree possible and which are available or may be made available.

***Bitumens*—For purposes of shipbuilding and ship repair coatings under § 129.52, Table I, category 12, black or brown materials that consist mainly of hydrocarbons and are soluble in carbon disulfide.**

***Bituminous resin specialty coating*—For purposes of shipbuilding and ship repair coatings under § 129.52, Table I, category 12:**

(i) A coating that incorporates bitumens as a principal component and is formulated primarily to be applied to a substrate or surface to resist ultraviolet radiation or water, or both.

(ii) The term is included in the specialty coating category "repair and maintenance of thermoplastic coating of commercial vessels."

Blender—A person who owns, leases, operates, controls or supervises an oxygenate blending facility.

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Closed-cycle depainting system—A dust free, automated process that removes a permanent coating in small sections at a time and maintains a continuous vacuum around the area being depainted to capture emissions.

***Coal tar*—A dark thick liquid that forms as a byproduct of the process of producing coke from coal.**

***Coal tar epoxy coating*—For purposes of shipbuilding and ship repair coatings under § 129.52, Table I, category 12, a black surface protection polymer that is a blend of various epoxy resins and coal tar used on surfaces subjected to extremely corrosive environments.**

Coating—

(i) For purposes of wood furniture manufacturing operations under §§ 129.101—129.107, a protective, decorative or functional material applied in a thin layer to a surface.

(A) The term includes paints, topcoats, clear coats, varnishes, sealers, stains, washcoats, basecoats, inks and temporary protective coatings.

(B) The term does not include adhesives.

(ii) For purposes of paper, film and foil surface coating under § 129.52b (relating to control of VOC emissions from paper, film and foil surface coating processes), a material applied onto or impregnated into a substrate for decorative, protective or functional purposes.

(A) The term includes solvent-borne coatings, waterborne coatings, adhesives, wax coatings, wax laminations, extrusion coatings, extrusion laminations, 100% solid adhesives, UV-cured coatings, electron beam-cured coatings, hot melt coatings and cold seal coatings.

(B) The term does not include materials used to form unsupported substrates, such as calendaring of vinyl, blown film, cast film, extruded film and co-extruded film.

(iii) For purposes of shipbuilding and ship repair coatings under § 129.52, Table I, category 12, a material that is applied in a thin layer to a substrate and which cures to form a continuous solid film.

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Cold shutdown—A cold repair or replacement of damaged or worn refractory parts of a glass melting furnace while the furnace does not contain molten glass.

***Cold weather time period*—For purposes of shipbuilding and ship repair coatings under § 129.52, Table I, category 12, a time during which the ambient temperature is below 4.5°C (40°F) and coating is to be applied.**

Combustion efficiency—A measure of the extent of a combustion reaction, abbreviated C. E. and computed as follows:

$$C.E. = \frac{[CO_2]}{[CO_2] + [CO]} \times 100\%$$

where: $[CO_2]$ = concentration of carbon dioxide and [CO] = concentration of carbon monoxide

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Container glass—Glass manufactured by pressing, blowing in molds, drawing, rolling or casting which is used as a container.

***Container of coating*—The bucket, pot, can or other holder from which the coating is applied.**

Continuous coater—A surface coating process that continuously applies coatings onto parts moving along a conveyor. Coatings that are not transferred to the part are recycled to a reservoir. Several types of application methods can be used with a continuous coater including spraying, curtain coating, roller coating, dip coating and flow coating.

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Cryoprotective coating—A coating applied to aerospace vehicles or components that:

(i) Insulates cryogenic or subcooled surfaces to limit propellant boil-off.

(ii) Maintains structural integrity of metallic structures during ascent or reentry.

(iii) Prevents ice formation.

***Cure volatile*—For purposes of shipbuilding and ship repair coatings under § 129.52, Table I, category 12:**

(i) A reaction product which is emitted during the chemical reaction which takes place in some coating films at the cure temperature.

(ii) The reaction product emissions are other than those from the solvents in the coating and may, in some cases, comprise a significant portion of total VOC or HAP emissions, or both.

Curtain coating—The application of a coating to an object by moving the object through a falling curtain of coating.

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Dispersion technique—An attempt to affect the concentration of a pollutant in the ambient air by methods contained in 40 CFR 51.100 (gg)—(kk) (relating to definitions).

***Distillation operation*—For purposes of § 129.71a:**

(i) A process that separates one or more feed streams into two or more exit streams, with each exit stream having component concentrations different from those in the feed streams.

(ii) The separation is achieved by the redistribution of the components between the liquid phase and vapor phase as they approach equilibrium within the distillation unit.

Distributor—

(i) A person who transports, stores or causes the transportation or storage of gasoline at any point between a refinery, blending facility or terminal and a retail outlet or wholesale purchaser-consumer's facility.

(ii) For purposes of § 123.22 (relating to combustion units), a person who transports, stores or causes the transportation or storage of commercial fuel oil at any point between a refinery, blending facility or terminal and a retail outlet, wholesale purchaser-consumer's facility or ultimate consumer.

(iii) The term includes a refinery, a blending facility or a terminal.

* * * * *

Engineered wood panel product—A derivative wood product that is manufactured by binding together the strands, particles, fibers or veneers of wood with adhesives, resins, other coatings or additives, or a combination of these, to form a composite material. The manufacturing process may also use heat or pressure, or both, to form the product. The product is manufactured to precise design specifications which are tested to meet National or international standards.

***Epoxy coating*—For purposes of shipbuilding and ship repair coatings under § 129.52, Table I, category 12, a thermoset coating formed by reaction of a resin containing a reactive epoxide with a curing agent.**

Epoxy polyamide topcoat—A coating applied to aerospace vehicles or components when harder films are required or in some areas where engraving is accomplished in camouflage colors.

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General plan approval—A plan approval issued for a category of stationary air contamination sources that the Department determines are similar in nature and that can be adequately regulated using standardized specifications and conditions.

***General use coating*—For purposes of shipbuilding and ship repair coatings under § 129.52, Table I, category 12:**

(i) A coating that is not a specialty coating.

(ii) The term includes coal tar epoxy coating.

Generation—With respect to ERCs, an action taken by an owner or operator of an air contamination source, emissions unit or facility that results in the actual reduction of emissions.

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Heat input—Heat derived from the combustion of fuel in a NOx affected source. The term does not include the heat derived from preheated combustion air, recirculated flue gas or exhaust from another source or combination of sources.

***Heat resistant specialty coating*—For purposes of shipbuilding and ship repair coatings under § 129.52, Table I, category 12, a coating that must withstand a temperature of at least 204°C (400°F) during normal use.**

Heatset—An operation in which heat is required to evaporate ink oils from the printing inks that are applied to the substrate.

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Heavy-duty diesel vehicle—A diesel-powered motor vehicle with a GVWR of greater than 14,000 pounds.

***High-gloss specialty coating*—For purposes of shipbuilding and ship repair coatings under § 129.52, Table I, category 12, a coating that achieves at least 85% reflectance on a 60° meter when tested by ASTM Method D-523, "Standard Test Method for Specular Gloss."**

High temperature coating—**[An]For purposes of § 129.73 (relating to aerospace manufacturing and rework), an** aerospace vehicle or component coating designed to withstand temperatures of more than 350°F.

***High-temperature specialty coating*—For purposes of shipbuilding and ship repair coatings under § 129.52, Table I, category 12, a coating that must withstand a temperature of at least 426°C (800°F) during normal use.**

High volume-low pressure spray—The application of a coating by means of a gun which operates between 0.1 and 10.0 psig air pressure.

* * * * *

Inner zone of the Southeast Pennsylvania air basin—Philadelphia County; the following political subdivision in Bucks County: Bensalem Township, Bristol Borough, Bristol Township, Falls Township, Morrisville Borough and Tullytown Borough; the following political subdivisions in Montgomery County: Abington Township, Bridgeport Borough, Bryn Athyn Borough, Cheltenham Township, Conshohocken Borough, East Norriton Township, Jenkintown Borough, Lower Merion Township, Lower Moreland Township, Narberth Borough, Norristown Borough, Plymouth Township, Rockledge Borough, Springfield Township, Upper Merion Township, West Conshohocken Borough, West Norriton Township and Whitemarsh Township; and all of Delaware County except for Bethel Township, Birmingham Township, Chester Heights Borough, Concord Township, Edgemont Township, Newton Township and Thornbury Township.

***Inorganic zinc (high-build) primer specialty coating*—For purposes of shipbuilding and ship repair coatings under § 129.52, Table I, category 12, a coating that:**

(i) Contains 960 g/l (8 lb/gal) or more of elemental zinc incorporated into an inorganic silicate binder that is applied to steel to provide galvanic corrosion resistance.

(ii) Is typically applied at more than 2 mils dry film thickness.

Insulation covering—Material that is applied to foam insulation to protect the insulation from mechanical or environmental damage.

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LDT—light-duty truck—

(i) For purposes of § 129.52 **[(relating to surface coating processes)]**, a light-duty truck is a motor vehicle rated at 8,500 pounds gross vehicle weight or less which is designed primarily for purposes of transportation or major components of the vehicle, including, but not limited to, chassis, frames, doors and engines.

(ii) For purposes of Chapter 126, Subchapter D (relating to the Pennsylvania Clean Vehicles Program), a light-duty truck is a motor vehicle rated at 8,500 pounds gross vehicle weight or less which is designed primarily for purposes of transportation of property or is a derivative of such a vehicle, or is available with special features enabling off-street or off-highway operation and use.

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Marine deck sealant or marine deck sealant primer—A sealant or sealant primer labeled for application to wooden marine decks.

***Maximum allowable thinning ratio*—For purposes of shipbuilding and ship repair coatings under § 129.52, Table I, category 12, the maximum volume of thinner that can be added per volume of coating without violating the applicable VOC limit in § 129.52, Table I, category 12.**

Maximum heat input capacity—The maximum steady state heat input under which a source may be operated as determined by its physical design and characteristics. Maximum heat input capacity is expressed in millions of British Thermal Units (MMBtu) per unit of time.

* * * * *

Metalized epoxy coating—A coating applied to aerospace vehicles or components that contains relatively large quantities of metallic pigmentation for appearance or added protection, or both.

***Military exterior specialty coating*—For purposes of shipbuilding and ship repair coatings under § 129.52, Table I, category 12:**

(i) An exterior topcoat applied to a military or U.S. Coast Guard vessel that is subject to specific chemical, biological or radiological washdown requirements.

(ii) The term is also known as a chemical agent resistant coating.

Minor operating permit modification—A change to incorporate de minimis conditions and other insignificant physical changes to a source or applicable requirements into an existing permit or a change that does not require plan approval but which contravenes an express permit term. The term does not include the following:

* * * * *

Miscellaneous metal parts and products—Items made of ferrous or nonferrous metals, including large farm machinery, small farm machinery, small appliances, commercial and industrial machinery, fabricated metal products and items listed under the Standard Industrial Classification Codes 3300—3999. The term does not include cans, coils, automobiles, light-duty trucks, metal furniture, magnet wire, large appliances, aerospace vehicles or components and

automobile refinishing and customized top coating of automobiles and trucks, if production since January 1, 1987, has not exceeded 34 vehicles per day.

***Mist specialty coating*—For purposes of shipbuilding and ship repair coatings under § 129.52, Table I, category 12, a low viscosity, thin film, epoxy coating applied to an inorganic zinc primer that penetrates the porous zinc primer and allows the occluded air to escape through the paint film prior to curing.**

Mobile air contamination source—An air contamination source, including, but not limited to, automobiles, trucks, tractors, buses and other motor vehicles; railroad locomotives; ships, boats and other waterborne craft. The term does not include a source mounted on a vehicle, whether the mounting is permanent or temporary, which source is not used to supply power to the vehicle.

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Natural-finish hardwood plywood panel—A panel on which the original grain pattern is enhanced by an essentially transparent finish frequently supplemented by filler and toner.

***Navigational aids specialty coating*—For purposes of shipbuilding and ship repair coatings under § 129.52, Table I, category 12, a coating applied to a U.S. Coast Guard buoy or other U.S. Coast Guard waterway marker when it is recoated aboard ship at its usage site and immediately returned to the water.**

Necessary preconstruction approvals or permits—Those permits or approvals required under the Clean Air Act or the act and regulations adopted under the acts, which are part of the applicable SIP.

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Non-Phase 2 outdoor wood-fired boiler—An outdoor wood-fired boiler that has not been certified or qualified by the EPA as meeting a particulate matter emission limit of 0.32 pounds per million Btu output or lower and is labeled accordingly.

***Nonskid specialty coating*—For purposes of shipbuilding and ship repair coatings under § 129.52, Table I, category 12, a coating applied to the horizontal surfaces of a marine vessel for the specific purpose of providing slip resistance for personnel, vehicles or aircraft.**

Nonspecific particulate matter—Particulate matter which is nonodorous and nonirritating, including, but not limited to, alundum, calcium carbonate, cellulose, portland cement, graphite, gypsum, limestone, magnesite, starch, tin oxide and glycerine mist.

Nonstructural adhesive—An adhesive applied to aerospace vehicles or components that bonds nonload bearing aerospace components in noncritical applications and is not included in any other specialty adhesive categories.

***Nonvolatiles*—Substances that do not evaporate readily. The term:**

(i) Refers to the film-forming material of a coating.

(ii) Is also known as solids.

Normally closed—**A container or piping system that remains closed unless an operator is actively engaged in adding or removing material.**

Normally closed container—A container that is closed unless an operator is actively engaged in activities such as emptying or filling the container.

Northeast Ozone Transport Region—The ozone transport region which includes this Commonwealth as established by section 184(a) of the Clean Air Act.

Nuclear specialty coating—**For purposes of shipbuilding and ship repair coatings under § 129.52, Table I, category 12:**

(i) A protective coating used to seal porous surfaces such as steel or concrete that otherwise would be subject to intrusion by radioactive materials.

(ii) The coating must meet the following:

(A) Resistant to long-term (service life) cumulative radiation exposure (ASTM D4082-89, "Standard Test Method for Effects of Gamma Radiation on Coatings for Use in Light-Water Nuclear Power Plants").

(B) Relatively easy to decontaminate.

(C) Resistant to various chemicals to which the coating is likely to be exposed (ASTM D 3912-80, reapproved 1989, "Standard Test Method for Chemical Resistance of Coatings Used in Light-Water Nuclear Power Plants").

O_2—Oxygen.

* * * * *

Operating parameter value—A minimum or maximum value established for a control **[equipment] device or** process parameter that, if achieved by itself or in combination with one or more other operating parameter values, determines whether an owner or operator has complied with an applicable emission limitation **or standard**.

* * * * *

Organic liquid cargo vessel—A tanker, freighter, barge, vessel, ship or boat used for the bulk transport of organic liquid cargo.

Organic zinc specialty coating—**For purposes of shipbuilding and ship repair coatings under § 129.52, Table I, category 12, a coating derived from zinc dust incorporated into an organic binder that contains more than 960 g/l (8 lb/gal) of elemental zinc, as applied, and that is used for the express purpose of corrosion protection.**

Outdoor floor covering installation adhesive—An adhesive intended by the manufacturer for use in the installation of floor covering that is both of the following:

(i) Not in an enclosure.

(ii) Exposed to ambient weather conditions during normal use.

* * * * *

Plastics—Synthetic materials chemically formed by the polymerization of organic (carbon-based) substances. Plastics are usually compounded with modifiers, extenders or reinforcers and are capable of being molded, extruded, cast into various shapes and films or drawn into filaments.

***Pleasure craft*—For purposes of shipbuilding and ship repair coatings under § 129.52, Table I, category 12, a marine or fresh-water vessel used by an individual for noncommercial, nonmilitary or recreational purposes that is less than 20 meters in length, including a vessel rented exclusively to or chartered for individuals for such purposes.**

Plywood—A structural material made of layers of laminated plies of veneers or layers of wood glued together, usually with the grains of adjoining layers at right angles to each other.

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Pretreatment coating—An organic coating that contains at least 0.5% acids by weight and is applied directly to metal surfaces of aerospace vehicles and components to provide surface etching, corrosion resistance, adhesion and ease of stripping.

***Pretreatment wash primer specialty coating*—For purposes of shipbuilding and ship repair coatings under § 129.52, Table I, category 12, a coating that contains a minimum of 0.5% acid, by mass, and is applied only to bare metal to etch the surface and enhance adhesion of a subsequent coating.**

Primary furnace combustion system—The burners in a glass melting furnace that are used during production of glass.

* * * * *

Process heater—

(i) An enclosed device using controlled flame, that is not a boiler, the primary purpose of which is to transfer heat to a process material or to a heat transfer material for use in a process unit.

(ii) The term does not include an enclosed device that meets either of the following circumstances:

(A) Has the primary purpose of generating steam.

(B) In which the material being heated is in direct contact with the products of combustion, including:

(I) A furnace.

(II) A kiln.

(III) An unfired waste heat recovery heater.

(IV) A unit used for comfort heat, space heat or food preparation for onsite consumption.

(V) An autoclave.

***Process vent*—For purposes of § 129.71a, the point of discharge to the atmosphere or the point of entry into a control device of a gas stream from a unit operation subject to § 129.71a.**

Project—A physical change in or change in the method of operation of an existing facility, including a new emissions unit.

* * * * *

Reactor—A vat or vessel, which may be jacketed to permit temperature control, designed to contain chemical reactions.

***Reactor process*—For purposes of § 129.71a, a unit operation in which one or more chemicals or reactants other than air are combined or decomposed in a way that their molecular structures are altered and one or more new organic compounds are formed.**

Reading air basin—The political subdivisions in Berks County of Bern Township, Cumru Township, Kenhorst Borough, Laureldale Borough, Leesport Borough, Lower Alsace Township, Mohnton Borough, Mt. Penn Borough, Muhlenberg Township, City of Reading, Shillington Borough, Sinking Spring Borough, Spring Township, St. Lawrence Borough, Temple Borough, West Lawn Borough, West Reading Borough, Wyomissing Borough and Wyomissing Hills Borough.

* * * * *

Renewal—The process by which a permit may be reissued at the end of its term.

***Repair and maintenance of thermoplastic coating of commercial vessels specialty coating*—For purposes of shipbuilding and ship repair coatings under § 129.52, Table I, category 12:**

(i) A vinyl, chlorinated rubber or bituminous resin coating that is applied over the same type of existing coating to perform the partial recoating of an in-use commercial vessel.

(ii) The term does not include coal tar epoxy coating, which is considered a "general use" coating.

Replacement source—A new source which is replacing a NOx affected source where both sources are under common ownership located within this Commonwealth. The NOx affected source shall be deactivated or permitted only as an emergency standby unit to the replacement source with operation limited to a maximum of 500 hours per year following commencement of operation of the replacement source.

* * * * *

Rubber-based adhesive—A quick setting contact cement applied to **[aeroscape]** **aerospace** vehicles and components that provides a strong, yet flexible, bond between two mating surfaces that may be of dissimilar materials.

***Rubber camouflage specialty coating*—For purposes of shipbuilding and ship repair coatings under § 129.52, Table I, category 12, an epoxy coating formulated for use as a camouflage topcoat for exterior submarine hulls and sonar domes.**

SCAQMD—South Coast Air Quality Management District—The California regional government agency responsible for air pollution control in Los Angeles and Orange counties and parts of Riverside and San Bernardino counties.

* * * * *

Sealant—

(i) For purposes of § 129.73:

(A) A material used to prevent the intrusion of water, fuel, air or other liquids or solids from certain areas of aerospace vehicles or components.

(B) There are two categories of sealants:

(I) Extrudable/rollable/brushable sealants.

(II) Sprayable sealants.

(ii) For purposes of § 129.77 and Chapter 130, Subchapter D:

(A) A material with adhesive properties that is formulated primarily to fill, seal, waterproof or weatherproof gaps or joints between two surfaces.

(B) The term includes caulks.

***Sealant for thermal spray aluminum specialty coating*—For purposes of shipbuilding and ship repair coatings under § 129.52, Table I, category 12, an epoxy coating applied to a thermal spray aluminum surface at a maximum film thickness of 1 dry mil.**

Sealant primer—A product intended by the manufacturer for application to a substrate, prior to the application of a sealant, to enhance the bonding surface.

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Sheet-fed printing—A printing process in which individual sheets of substrate are fed sequentially to the printing press.

***Ship*—For purposes of shipbuilding and ship repair coatings under § 129.52, Table I, category 12, a marine or freshwater vessel used for military or commercial operations.**

(i) The term includes the following:

(A) Barges.

(B) Commercial cargo and container vessels.

(C) Commercial passenger and cruise vessels.

(D) Dredges.

(E) Ferries.

(F) U.S. Military and U.S. Coast Guard vessels.

(G) Navigational aids like buoys.

(H) Patrol and pilot boats.

(I) Self-propelled vessels.

(J) Tankers.

(K) Vessels propelled by other craft such as barges.

(ii) The term does not include the following:

(A) Offshore oil and gas drilling platforms.

(B) Pleasure craft.

***Shipbuilding and ship repair operation*—For purposes of shipbuilding and ship repair coatings under § 129.52, Table I, category 12, the building, repair, repainting, converting or alteration of a ship.**

Shutdown—For purposes of §§ 129.301—129.310, the period of time during which a glass melting furnace is taken from an operational to a non-operational status by allowing it to cool down from its operating temperature to a cold or ambient temperature as the fuel supply is turned off.

* * * * *

Space vehicle—A manmade device, either manned or unmanned, designed for operation beyond earth's atmosphere.

(i) The term includes integral equipment, such as models, mock-ups, prototypes, molds, jigs, tooling, hardware jackets and test coupons.

(ii) The term also includes auxiliary equipment associated with test, transport and storage, that through contamination can compromise the space vehicle performance.

***Special marking specialty coating*—For purposes of shipbuilding and ship repair coatings under § 129.52, Table I, category 12, a coating that is used for safety or identification applications, such as ship numbers and markings on flight decks.**

Specialty coating—**[**A**]**

(i) For purposes of § 129.73, a coating applied to aerospace vehicles or components that, even though it meets the definition of a primer, topcoat or self-priming topcoat, has additional performance criteria beyond those of primers, topcoats and self-priming topcoats for specific applications. These performance criteria **[may include, but are not limited to,] include** temperature or fire resistance, substrate compatibility, antireflection, temporary protection or marking, sealing, adhesively joining substrates or enhanced corrosion protection.

(ii) For purposes of shipbuilding and ship repair coatings under § 129.52, a coating that is manufactured or used for one of the specialized shipbuilding and ship repair coating applications listed in Table I, coating categories 12(ii)(a)—(v).

***Specialty interior coating*—For purposes of shipbuilding and ship repair coatings under § 129.52, Table I, category 12, a coating used on an interior surface aboard a U.S. military vessel that is required to meet specified fire retardant and low toxicity requirements in addition to the other applicable military physical and performance requirements.**

Specialized function coating—A coating applied to aerospace vehicles or components that fulfills extremely specific engineering requirements that are limited in application and are characterized by low volume usage. This category excludes coatings included in other specialty coating categories.

* * * * *

TPY—Tons per year.

***Tack specialty coating*—For purposes of shipbuilding and ship repair coatings under § 129.52, Table I, category 12, a thin film epoxy coating applied at a maximum film thickness of 2 dry mils to prepare an epoxy coating that has dried beyond the time limit specified by the manufacturer for the application of the next coat.**

Tank car—A rail car which is used for transporting liquids in bulk in an unpackaged form.

* * * * *

Thinner—

(i) A volatile liquid that is used to dilute coatings (to reduce viscosity, color strength or solids content or to modify drying conditions).

(ii) For purposes of shipbuilding and ship repair coatings under § 129.52, a liquid that is used to reduce the viscosity of a coating and that evaporates before or during the cure of a film.

(iii) The term includes diluent, makeup solvent**, thinning solvent** or reducer.

***Thinning ratio*—The volumetric ratio of thinner to coating, as supplied.**

Tileboard—A premium interior wall paneling product made of hardboard that is used in high moisture areas of the home, including kitchens and bathrooms, and which meets the specifications for Class I hardboard approved by the American National Standards Institute.

* * * * *

Undersea-based weapons systems components—The fabrication of parts, parts assembly or completed units of a portion of a missile launching system used on undersea ships.

***Undersea weapons systems specialty coating*—For purposes of shipbuilding and ship repair coatings under § 129.52, Table I, category 12, a coating applied to a component of a weapons system intended to be launched or fired from under the surface of the sea.**

Undertread cementing—The application of a solvent-based cement to the underside of a tire tread.

* * * * *

Web printing—A printing process in which continuous rolls of substrate material are fed to the printing press and rewound or cut to size after printing.

***Weld-through preconstruction primer specialty coating*—For purposes of shipbuilding and ship repair coatings under § 129.52, Table I, category 12:**

(i) A coating that:

(A) Provides corrosion protection for steel during inventory.

(B) Is typically applied at less than 1 mil dry film thickness.

(C) Is temperature resistant (burn back from a weld is less than 1.25 centimeters (0.5 inches)).

(D) Does not require removal prior to welding.

(E) Does not normally require removal before applying film-building coatings, including an inorganic zinc (high-build) primer specialty coating.

(ii) When constructing new vessels, there may be a need to remove areas of this type of coating due to surface damage or contamination prior to application of film-building coatings.

Wet fastener installation coating—A primer or sealant applied to aerospace vehicles or components by dipping, brushing or daubing on fasteners which are installed before the coating is cured.

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CHAPTER 129. STANDARDS FOR SOURCES SOURCES OF VOCs

§ 129.52. Surface coating processes.

(a) This section applies **as follows** to **the owner and operator of** a [surface]**:**

(1) Surface coating process category **listed in Table I, categories 1—11**, regardless of the size of the facility, which emits or has emitted VOCs into the outdoor atmosphere in quantities greater than 3 pounds (1.4 kilograms) per hour, 15 pounds (7 kilograms) per day or 2.7 tons (2,455 kilograms) per year during any calendar year since January 1, 1987.

(2) Shipbuilding or ship repair facility that has a surface coating operation that uses or applies more than 264 gallons of one or a combination of coatings listed in Table I, category

12, beginning _____ (*Editor's note:* The blank refers to the effective date of this rulemaking, when published as a final-form rulemaking.).

* * * * *

(c) **[A]** **The owner or operator of a** facility, regardless of the facility's annual emission rate, which contains surface coating processes shall maintain records sufficient to demonstrate compliance with this section. At a minimum, a facility shall maintain daily records of:

(1) The following parameters for each coating, thinner and other component as supplied:

(i) The coating, thinner or component name and identification number.

(ii) The volume used.

(iii) The mix ratio.

(iv) The density or specific gravity.

(v) The weight percent of total volatiles, water, solids and exempt solvents.

(vi) The volume percent of solids for Table I surface coating process categories 1—10.

(vii) The volume percent of solids for a Table I surface coating process category 12 coating whose VOC content is expressed in units of weight of VOC per volume of coating solids.

* * * * *

Table I
Emission Limits of VOCs in Surface Coatings by Process Category
Weight of VOC per Volume of Coating Solids

Surface Coating Process Category	*lbs VOC per gal coating solids*	*kg VOC per liter coating solids*
1. Can coating		
(a) sheet basecoat	4.62	0.55
(b) can exterior	4.62	0.55
(c) interior body spray	10.05	1.20
(d) two piece can end exterior	10.05	1.20
(e) side-seam spray	21.92	2.63
(f) end sealing compound	7.32	0.88
2. Coil coating	4.02	0.48
3. Fabric coating	4.84	0.58
4. Vinyl coating	7.69	0.92
5. Paper coating	4.84	0.58
6. Automobile and light duty truck coating		
(a) prime coat	2.60	0.31

(b) top coat	4.62	0.55
(c) repair	14.14	1.69
7. Metal furniture coating	5.06	0.61
8. Magnet wire coating	2.16	0.26
9. Large appliance coating	4.62	0.55
Categories 1—9 were adopted on April 17, 1979		
10. Miscellaneous metal parts & products		
(a) top coats for locomotives and heavy-duty trucks	6.67	0.80
(b) hopper car and tank car interiors	6.67	0.80
(c) pail and drum interiors	10.34	1.24
(d) clear coatings	10.34	1.24
(e) air-dried coatings	6.67	0.80
(f) extreme performance coatings	6.67	0.80
(g) all other coatings	5.06	0.61
Category 10 was adopted on April 21, 1981		

Weight of VOC per Weight of Coating Solids

	lbs VOC per lb coating solids	*kg VOC per kg coating solids*
11. Wood furniture manufacturing operations		
(a) Topcoats and enamels	3.0	3.0
(b) Washcoat	14.3	14.3
(c) Final repair coat	3.3	3.3
(d) Basecoats	2.2	2.2
(e) Cosmetic specialty coatings	14.3	14.3
(f) Sealers	3.9	3.9
Category 11 was adopted on May 7, 1988		

12. Shipbuilding and ship repair coatings

Weight of VOC per Volume of Coating Less Water and Exempt Compounds [a] [b]

		lbs VOC per gallon coating less water and exempt compounds	***grams VOC per liter coating less water and exempt compounds***
(i)	**General use, including coal tar epoxy coatings**	**2.83**	**340**
(ii)	**Specialty coating**		
	(a) Air flask	**2.83**	**340**

(b) Antenna	4.42	530
(c) Antifoulant	3.33	400
(d) Heat resistant	3.50	420
(e) High-gloss	3.50	420
(f) High-temperature	4.17	500
(g) Inorganic zinc high build primer	2.83	340
(h) Military exterior	2.83	340
(i) Mist	5.08	610
(j) Navigational aids	4.58	550
(k) Nonskid	2.83	340
(l) Nuclear	3.50	420
(m) Organic zinc	3.00	360
(n) Pretreatment wash primer	6.50	780
(o) Repair and maintenance of thermoplastic coating of commercial vessels	4.58	550
(p) Rubber camouflage	2.83	340
(q) Sealant for thermal spray aluminum	5.08	610
(r) Special marking	4.08	490
(s) Specialty interior	2.83	340
(t) Tack	5.08	610
(u) Undersea weapons systems	2.83	340
(v) Weld-through preconstruction primer	5.42	650

		Weight of VOC per Volume of Coating Solids [c]			
		At temperature less than 4.5°C (40°F) [d]		*At temperature equal to or greater than 4.5°C (40°F)*	
		lbs VOC per gallon coating solids	*grams VOC per liter coating solids*	*lbs VOC per gallon coating solids*	*grams VOC per liter coating solids*
(i)	General use, including coal tar epoxy coatings	6.07	728	4.76	571
(ii)	Specialty coating				
	(a) Air flask	6.07	728	4.76	571
	(b) Antenna	12.01	1,439	12.01	1,439
	(c) Antifoulant	8.10	971	6.38	765
	(d) Heat resistant	8.92	1,069	7.02	841
	(e) High-gloss	8.92	1,069	7.02	841
	(f) High-temperature	13.33	1,597	10.32	1,237

(g) Inorganic zinc high build primer	6.07	728	4.76	571
(h) Military exterior	6.07	728	4.76	571
(i) Mist	18.64	2,235	18.64	2,235
(j) Navigational aids	13.33	1,597	13.33	1,597
(k) Nonskid	6.07	728	4.76	571
(l) Nuclear	8.92	1,069	7.02	841
(m) Organic zinc	6.69	802	5.26	630
(n) Pretreatment wash primer	92.58	11,095	92.58	11,095
(o) Repair and maintenance of thermoplastic coating of commercial vessels	13.33	1,597	13.32	1,597
(p) Rubber camouflage	6.07	728	4.76	571
(q) Sealant for thermal spray aluminum	18.65	2,235	18.65	2,235
(r) Special marking	9.83	1,178	9.83	1,178
(s) Specialty interior	6.07	728	4.76	571
(t) Tack	18.65	2,235	18.65	2,235
(u) Undersea weapons systems	6.07	728	4.76	571
(v) Weld-through preconstruction primer	24.07	2,885	24.07	2,885

[a] The limits are expressed in two sets of equivalent units: pounds (lbs) per gallon and grams per liter. Either set of limits may be used to demonstrate compliance.

[b] To convert from grams per liter to pounds (lbs) per gallon, multiply the limit by (3.785 liter/gallon)(1/453.6 pound/gram) or 1/120. For compliance purposes, metric units define the standards.

[c] VOC limits expressed in units of mass of VOC per volume of solids were derived from the VOC limits expressed in units of mass of VOC per volume of coating less water and exempt compounds by assuming the coating contains no water or exempt compounds and that the volumes of all components within the coating are additive.

[d] These limits apply during cold weather time periods, that is, temperatures below 4.5°C (40°F). Cold weather allowances are not given to coatings in categories that allow less than 40% solids (nonvolatiles) content by volume. These coatings are subject to the single limit regardless of weather conditions and temperatures.

Category 12 was adopted on _____ (*Editor's note:* The blank refers to the effective date of this rulemaking, when published as a final-form rulemaking.).

* * * * *

(Editor's Note: The following two new sections are proposed to be added and are printed in regular type to enhance readability.)

§ 129.63b. Control of VOC emissions from large petroleum dry cleaning facilities.

(a) *Applicability.* This section applies Statewide to the owner and operator of a petroleum solvent washer, dryer, solvent filter, settling tank, vacuum still, and other containers and conveyors of petroleum solvent that are used in petroleum dry cleaning facilities that consume 123,000 liters (32,493 gallons) or more of petroleum solvent annually.

(b) *Definitions.* The following words and terms, when used in this section, have the following meanings unless the context clearly indicates otherwise:

Cartridge filter—A perforated canister containing filtration paper or activated carbon, or both, that is used in a pressurized system to remove solid particles and fugitive dyes from soil-laden solvent.

Consume—The amount of petroleum solvent purchased less the amount of petroleum solvent sent for disposal or returned for recycling during a calendar year.

Containers and conveyors of solvent—Piping, ductwork, pumps, storage tanks and other ancillary equipment that are associated with the installation and operation of petroleum dry cleaning washers, dryers, filters, stills and settling tanks.

Dry cleaning—A process for the cleaning of textiles and fabric products in which articles are washed in a nonaqueous solution (solvent) and then dried by exposure to a heated air stream.

Perceptible leak—A petroleum solvent vapor or liquid leak that is conspicuous from visual observation. The term includes the following:

(i) A pool or droplet of petroleum solvent liquid.

(ii) A bucket or barrel of petroleum solvent or petroleum solvent-laden waste standing open to the atmosphere.

Petroleum solvent—A group of organic materials produced by petroleum distillation comprising a hydrocarbon range of 8 to 12 carbon atoms per organic molecule that exists as a liquid under standard conditions.

Petroleum solvent recovery dryer—A class of dry-cleaning dryers that employs a condenser to liquify and recover petroleum solvent vapors evaporated in a closed-loop, recirculating stream of heated air.

(c) *Emission limitations.*

(1) The owner and operator of a petroleum dry cleaning dryer shall do one of the following:

(i) Limit VOC emissions to the atmosphere to an average of 3.5 kilograms (kg) of VOC per 100 kg dry weight of articles dry cleaned.

(ii) Install and operate a petroleum solvent recovery dryer in a manner that the dryer remains closed and the recovery phase continues until a final recovered solvent flow rate of 50 milliliters per minute is attained.

(2) The owner or operator of a petroleum solvent filtration system shall do one of the following:

(i) Reduce the VOC content in filtration wastes to 1.0 kg or less per 100 kg dry weight of articles dry cleaned, before disposal and exposure to the atmosphere.

(ii) Install and operate a cartridge filtration system and drain the filter cartridges in their sealed housings for 8 hours or more before their removal.

(3) The owner or operator of a petroleum dry cleaning dryer or petroleum solvent filtration system shall repair a petroleum solvent vapor or liquid leak within 3 working days after identifying the source of the leak.

(i) If the necessary repair part is not on hand to perform the repair, the owner or operator shall order the part within 3 working days following identification of the source of the leak.

(ii) The owner or operator shall repair the identified leak no later than 3 working days following the arrival of the necessary repair part ordered under subparagraph (i).

(d) *Compliance monitoring and testing requirements.* The owner or operator of a petroleum dry cleaning operation subject to this section shall demonstrate compliance as follows.

(1) To determine compliance with subsection (c)(1)(i), the owner or operator shall do the following:

(i) Calculate the weight of VOC vented from the dryer emission control device using EPA Reference Test Methods 1, 2 and 25A, with the following specifications:

(A) Field calibration of the flame ionization analyzer with propane standards.

(B) Laboratory determination of the ratio of the flame ionization analyzer response to a given parts per million by volume concentration of propane to the response to the same parts per million concentration of the VOC to be measured.

(C) Determination of the weight of VOC emissions vented to the atmosphere by performing the following:

(I) Multiplying the ratio determined in clause (B) by the measured concentration of VOC gas (as propane) as indicated by the flame ionization analyzer response output record.

(II) Converting the parts per million by volume value calculated in subclause (I) into a mass concentration value for the VOCs present.

(III) Multiplying the mass concentration value calculated in subclause (II) by the exhaust flow rate determined by using EPA Reference Test Methods 1 and 2.

(ii) Calculate the dry weight of articles dry cleaned.

(iii) Repeat subparagraphs (i) and (ii) for normal operating conditions that encompass at least 30 dryer loads which meet the following:

(A) Total not less than 1,800 kg dry weight.

(B) Represent a normal range of variations in fabrics, solvents, load weights, temperatures, flow rates and process deviations.

(2) To determine compliance with subsection (c)(1)(ii), the owner or operator shall verify that the flow rate of recovered solvent from the solvent recovery dryer at the termination of the recovery phase is no greater than 50 milliliters per minute by performing the following steps:

(i) Conducting a one-time procedure for a duration of no less than 2 weeks that:

(A) Monitors at least 50% of the dryer loads for their final recovered solvent flow rate.

(B) Measures the flow rate of recovered solvent from the solvent-water separator.

(I) Near the end of the recovery cycle, the flow of recovered solvent should be diverted to a graduated cylinder.

(II) Continue the cycle until the flow rate of the solvent is 50 milliliters per minute.

(ii) Recording the type of articles cleaned and the total length of the cycle measured in subparagraph (i).

(3) To determine compliance with subsection (c)(2)(i) and (ii), the owner or operator shall do the following:

(i) Calculate the weight of VOCs contained in each of five 1-kg samples of filtration waste material taken at intervals of 1 week, using ASTM Method D322-97 (Standard Test Method for Gasoline Diluent in Used Gasoline Engine Oils by Distillation).

(ii) Calculate the total dry weight of articles dry cleaned during the intervals between removal of filtration waste samples, as well as the total mass of filtration waste produced in the same period.

(iii) Calculate the weight of VOCs contained in filtration waste material per 100 kg dry weight of articles dry cleaned.

(4) To determine compliance with subsection (c)(3), the owner or operator shall perform weekly inspections of washers, dryers, solvent filters, settling tanks, vacuum stills and all containers and conveyors of petroleum solvent to identify a perceptible petroleum solvent vapor or liquid leak.

(e) *Recordkeeping and reporting requirements*. The owner or operator of a petroleum dry cleaning facility subject to this section shall maintain records sufficient to demonstrate compliance with this section, including:

(1) Records of the weight of VOC emissions vented from the dryer emission control device, calculated according to subsection (d)(1).

(2) Records of the dry weight of articles dry cleaned for use in the calculations in subsections (d)(1)—(3).

(3) Records of the weight of VOCs contained in the filtration waste samples required in subsection (d)(1)(i).

(4) Records of the weight of VOCs contained in the filtration waste material for each 220 lb (100 kg) dry weight of articles dry cleaned.

(f) *Exemption.* The owner or operator of a petroleum dry cleaning facility subject to subsection (a) claiming exemption from the requirements of subsections (c)—(e) shall maintain records of annual solvent consumption onsite for 5 years to demonstrate that the applicability threshold of subsection (a) has not been exceeded.

§ 129.71a. Control of VOC emissions from the synthetic organic chemical manufacturing industry — air oxidation, distillation and reactor processes.

(a) *Applicability.*

(1) Except as specified in paragraph (3), this section applies to the owner and operator of a synthetic organic chemical manufacturing facility that has a vent stream originating from a process unit in which an air oxidation unit process, distillation operation or reactor process produces one or more of the chemicals listed in Table 1 as a product, coproduct, byproduct or intermediate.

(2) For purposes of this section, reference to total organic compounds or TOC in 40 CFR Part 60, Subpart III (relating to standards of performance for volatile organic compound (VOC) emissions from the Synthetic Organic Chemical Manufacturing Industry (SOCMI) air oxidation unit processes), 40 CFR Part 60, Subpart NNN (relating to standards of performance for volatile organic compound (VOC) emissions from Synthetic Organic Chemical Manufacturing Industry (SOCMI) distillation operations) or 40 CFR Part 60, Subpart RRR (relating to standards of performance for volatile organic compound (VOC) emissions from Synthetic Organic Chemical Manufacturing Industry (SOCMI) reactor processes) shall be considered equivalent to VOC as defined in § 121.1 (relating to definitions).

(3) The owner and operator of a synthetic organic chemical manufacturing facility located in this Commonwealth that has a vent stream originating from a process unit in which an air oxidation unit process, distillation operation or reactor process produces one or more of the chemicals listed in Table 1 as a product, coproduct, byproduct or intermediate shall meet the requirements of this section unless more stringent requirements in an applicable permit or plan approval issued by the Department apply.

(b) *Standards.*

(1) *Process vents.* For a process vent that is subject to equivalent VOC control provisions under an existing 40 CFR Part 60 (relating to standards of performance for new stationary sources) or 40 CFR Part 63 (relating to National emission standards for hazardous air pollutants

for source categories) standard, compliance with the requirements of the existing 40 CFR Part 60 or 63 standard shall constitute compliance with the provisions of this section.

(2) *Air oxidation unit processes.*

(i) The owner or operator of a source with an air oxidation unit process meeting the applicability criteria in subsection (a) shall comply with the requirements of 40 CFR Part 60, Subpart III unless the source has RACT control measures approved in a permit as part of the Commonwealth's Federally approved SIP prior to _____ (*Editor's note:* The blank refers to the effective date of this rulemaking, when published as a final-form rulemaking.).

(ii) The exemption listed in 40 CFR 60.610(c) (relating to applicability and designation of affected facility) applies to an owner or operator subject to this section.

(iii) Notwithstanding 40 CFR 60.610, for purposes of this section:

(A) An affected source is one that meets the criteria in 40 CFR 60.610(a) regardless of the specific date of construction, modification or reconstruction of the source for a regulated chemical described in subsection (a)(1) and Table 1.

(B) The owner or operator of an affected source shall comply with this section no later than_____ (*Editor's note:* The blank refers to the date 2 years after the effective date of this rulemaking, when published as a final-form rulemaking.).

(iv) Notwithstanding 40 CFR 60.615(a) (relating to reporting and recordkeeping requirements), each owner or operator subject to this section shall notify the Department no later than _____ (*Editor's note:* The blank refers to the date 90 days after the effective date of this rulemaking, when published as a final-form rulemaking.), of the method by which the owner or operator of the affected source will comply with the applicable provisions of 40 CFR 60.612 (relating to standards).

(v) For the purposes of this section, 40 CFR 60.616 and 40 CFR 60.618 (relating to reconstruction; and delegation of authority) are not applicable.

(vi) Notwithstanding 40 CFR 60.610(d)(4), 60.614(g) (relating to test methods and procedures), 60.615(c), 60.615(g) (but not 60.615(g)(1) or 60.615(g)(4)), and 60.615(j), a reference to the Administrator shall mean the Department.

(vii) Notwithstanding 40 CFR 60.614(c), the Department reserves the option to require testing at other times as may be required.

(3) *Distillation operations.*

(i) The owner or operator of a source with a distillation operation subject to subsection (a) shall comply with the requirements of 40 CFR Part 60, Subpart NNN.

(ii) The following exemptions apply:

(A) The exemptions listed in 40 CFR 60.660(c) (relating to applicability and designation of affected facility).

(B) The owner or operator of a distillation operation with a vent stream that has a total VOC concentration of less than 500 ppmv is subject only to the test method and procedure and the recordkeeping and reporting requirements specified in 40 CFR 60.660(c)(6) and not to the test method and procedure and the recordkeeping and reporting requirements of this section.

(iii) Notwithstanding 40 CFR 60.660, for purposes of this section:

(A) An affected source is one that meets the criteria in 40 CFR 60.660(a), regardless of the specific date of construction, modification or reconstruction of the source.

(B) A regulated chemical is one described in subsection (a)(1) and Table 1, rather than in 40 CFR 60.667 (relating to chemicals affected by subpart NNN).

(C) The owner or operator of an affected source shall comply with this section no later than____ (*Editor's note*: The blank refers to the date 2 years after the effective date of this rulemaking, when published as a final-form rulemaking.).

(iv) Notwithstanding 40 CFR 60.665(a) (relating to reporting and recordkeeping requirements), each owner or operator subject to this section shall notify the Department no later than _____ (*Editor's note*: The blank refers to the date 90 days after the effective date of this rulemaking, when published as a final-form rulemaking.) of the method by which the owner or operator of the affected source will comply with the applicable provisions of 40 CFR 60.662 (relating to standards).

(v) For the purposes of this section, 40 CFR 60.666 and 40 CFR 60.668 (relating to reconstruction; and delegation of authority) are not applicable.

(vi) Notwithstanding 40 CFR 60.660(d)(4), 60.664(g)(1) (relating to test methods and procedures), 60.665(c), 60.665(g) (but not 60.665(g)(1)(ii)), 60.665(l), 60.665(n) and 60.665(o), a reference to the Administrator shall mean the Department.

(vii) Notwithstanding 40 CFR 60.664(c), the Department reserves the option to require testing at other times as may be required.

(4) *Reactor processes.*

(i) The owner or operator of a source with a reactor process subject to subsection (a) shall comply with the requirements of 40 CFR Part 60, Subpart RRR.

(ii) The following exemptions apply:

(A) Exemptions listed in 40 CFR 60.700(c) (relating to applicability and designation of affected facility), except that the cutoff for the vent stream flow rate shall be 0.0085 scm/min, not 0.011 scm/min as specified in 40 CFR 60.700(c)(4).

(B) The owner or operator of a reactor operation with a vent stream that has a total VOC concentration of less than 500 ppmv is subject only to the test method and procedure and the recordkeeping and reporting requirements specified in 40 CFR 60.700(c)(8), and not to the test method and procedure and recordkeeping and reporting requirements of this section.

(iii) Notwithstanding 40 CFR 60.700, for purposes of this section:

(A) An affected source is one that meets the criteria in 40 CFR 60.700(a), regardless of the specific date of construction, modification or reconstruction of the source.

(B) A regulated chemical is one described in subsection (a)(1) and Table 1 rather than in 40 CFR 60.707 (relating to chemicals affected by subpart RRR).

(C) The owner or operator of an affected source shall comply with this section no later than_____ (*Editor's note*: The blank refers to the date 2 years after the effective date of this rulemaking, when published as a final-form rulemaking.).

(iv) Notwithstanding 40 CFR 60.705(a) (relating to reporting and recordkeeping requirements), each owner or operator subject to this section shall notify the Department no later than ____ (*Editor's note*: The blank refers to the date 90 days after the effective date of this rulemaking, when published as a final-form rulemaking.) of the method by which the owner or operator of the affected source will comply with the applicable provisions of 40 CFR 60.702 (relating to standards).

(v) For the purposes of this section, 40 CFR 60.706 and 40 CFR 60.708 (relating to reconstruction and delegation of authority) are not applicable.

(vi) Notwithstanding 40 CFR 60.700(d)(4), 60.704(f)(1) (relating to test methods and procedures), 60.705(c), 60.705(f) (but not 60.705(f)(1)), 60.705(l), 60.705(n), 60.705(o), 60.705(p) and 60.705(r), a reference to the Administrator shall mean the Department.

(vii) Notwithstanding 40 CFR 60.704(b)(5)(iii), the Department reserves the option to require testing at other times as may be required.

Table 1. List of Regulated SOCMI Chemicals

CAS No.[a]	*Chemical name*[b]	*Reactor and Distillation CTG Chemicals*	*Air Oxidation CTG Chemicals*	*Distillation NSPS Chemicals*	*Reactor Process NSPS Chemicals*	*Air Oxidation NSPS Chemicals*
	1,1,1-Tribromo-2-methyl-2-propanol	X				
584032	1,2 Butanediol	X				
28553-12-0	1,2-Benzenedicarboxylic acid diisononyl ester	X				
524-42-5	1,2-Naphthoquinone (particulate, vapor)		X			
	1,4-Dichloride	X				
109693	1-Chloro-4-nitrobenzene	X				
63-25-2	1-Naphthyl-N-methylcarbamate			X		
3071-32-7	1-phenylethyl hydroperoxide	X				

221-341-3	1-Phenylethyl hydroperoxide			X		
107-01-7	2-Butene				X	
110-65-6	2-Butyne-1, 4-diol				X	
26266682	2-Ethylhexanal			X		
53971-27-0	2-Hydroxy-1,2,3-propanetricarboxylic acid	X				
513-35-9	2-Methylbutenes, mixed	X				
	3-Hydroxybutyraldehyde	X				
617-94-7	a,a-Dimethyl Benzyl Alcohol (2-Phenyl-2-Propanol)(Vapor)		X			
	Acrylic esters	X				
67774-74-7	Alkyl benzene	X				
6358-15-2	Amino-3,4,6-trichlorophenol (2-)	X				
85-68-7	Butylbenzyl Phthalate				X	
1111-78-0	Carbamic acid, mono ammonium salt	X				
126-99-8	Chloroprene			X		
61789-31-9	Coconut oil acids, sodium salt	X				
75-34-3	Dichloropane (1,1-)	X				
85687	Di-n-heptyl-n-nonyl undecyl phthalate			X		
123-66-0	Ethyl caproate	X				
61790-45-2	Fatty acids, tall oil, sodium salt	X				
123013	Linear alkyl benzene	X				
67774-74-7	Linear alkylbenzene			X		
763-29-1	Methyl-1-pentene (2-)	X				
25377837	Octene -	X				
	Pentenes, mixed	X				
463-49-0	Propadiene		X			
108-32-7	Propyl carbonate	X				
75-56-9	Propylene Oxide			X		
98-51-1	p-tert-Butyltoluene	X				
61790-32-7	Tallow acids, potassium salt	X				
0000057-13-6	Urea ammonium nitrate	X				
76131	(1,1,2-) Trichloro (1,2,2-) trifluoroethane	X		X	X	

104756	(2-Ethylhexyl) amine	X		X	X	
85687	1,2-Benzenedicarboxylic acid butyl, phenyl methyl ester -	X				
78875	1,2-diechloropropane	X				
110576	1,4-Dichlorobutene	X		X	X	
106989	1-Butene	X		X	X	
684255	1-Dodecene -	X				
872504	1-Methyl-2-pyrrolidone	X		X	X	
124118	1-Nonene	X				
25167673	1-Phenyl ethyl hydroperoxide	X		X	X	
3071-32-7	1-Phenylethyl hydroperoxide				X	
	2,2'-Iminobisethanol - 11422	X				
11466	2,2'-Oxybisethanol	X				
80568	2,6,6-Trimethylbicyclo (3,1,1) hept-2-ene	X				
78923	2-Butanol	X				
110656	2-Butene	X		X	X	
126998	2-Butyne-1,4-diol	X		X	X	
78897	2-Chloro-1-propanol	X				
1912249	2-Chloro-4-(ethylamino)-6-(isopropylamino)-S-triazine	X		X		
123057	2-Ethylhexanal -	X				
104767	2-Ethylhexanol (2-ethyl-1-hexanol)	X		X	X	
13042029	2-Hexenedinitrile	X		X		
64037543	3,4-Dichloro-1-butene	X		X	X	
1119853	3-Hexenedintrile	X		X		
4635874	3-Pentenenitrile	X		X	X	
1912249	6-Chloro-N-ethyl-N'-(1-methylethyl)-1,3,5-triazine-2,4-diamine -	X				
15547178	6-Ethyl-1,2,3,4-tetrahydro-9,10-antracenedione	X		X	X	
26952216	6-Methyl-heptanol -	X				
83329	Acenaphthene	X				
105577	Acetal (1,1-diethoxy-ethane)	X				
75070	Acetaldehyde -	X	X	X	X	X
107891	Acetaldol (3-hydroxy-butanal) -	X		X		

60355	Acetamide	X				
60355	Acetamides	X				
103844	Acetanilide	X				
64197	Acetic acid -	X	X	X	X	X
108247	Acetic anhydride -	X	X	X	X	
102012	Acetoacetanilide	X				
67641	Acetone -	X	X	X	X	X
75865	Acetone cyanohydrin -	X		X	X	
75058	Acetonitrile -		X			X
98862	Acetophenone -		X			X
75365	Acetyl chloride	X				
74862	Acetylene -	X		X	X	
79276	Acetylene tetrabromide (1,1,2,2-tetrabromomethane)	X				
107028	Acrolein -		X			X
79061	Acrylamide	X				
79107	Acrylic acid -	X	X	X	X	X
107131	Acrylonitrile -	X	X	X	X	X
124049	Adipic acid -	X		X	X	
111693	Adiponitrile -	X		X	X	
	Alcohols, C-11 or higher, mixtures -	X		X	X	
	Alcohols, C-11 or lower, mixtures -	X		X	X	
	Alcohols, C-12 or higher, unmixed	X				
	Alcohols, C-12 or higher, unmixed				X	
72480	Alizarin	X				
84651	Alkyl anthraquinones	X				
	Alkyl naphthalene sulfonates	X				
91203	Alkyl naphthalenes	X				
107186	Allyl alcohol	X				
106956	Allyl bromide	X				
107051	Allyl chloride	X		X	X	

109751	Allyl cyanide	X				
7360443	Aluminum acetate	X				
7429905	Aluminum formates	X				
1321115	Aminobenzoic acid	X				
111411	Aminoethylethanolamine	X				
123308	Aminophenol (p-isomer)	X				
96-67-3	Aminophenol sulfonic acid	X				
631618	Ammonium acetate	X				
1762954	Ammonium thiocyanate	X				
	Amyl acetates	X				
71410	Amyl alcohol (n-) (1-pentanol)	X				
75854	Amyl alcohol (tert-)	X				
30899195	Amyl alcohols (mixed)	X				
543599	Amyl chloride (n-)	X				
	Amyl chlorides (mixed)	X				
693652	Amyl ether	X				
110587	Amylamines	X				
513359	Amylene	X		X	X	
	Amylenes, mixed	X		X	X	
62533	Aniline	X		X	X	
142041	Aniline hydrochloride	X				
90040	Anisidine (o-)	X				
100663	Anisole (methoxyl benzene)	X				
120127	Anthracene	X				
118923	Anthranilic acid	X				
84651	Anthraquinone -	X	X			X
25376458	ar-Methylbenzenediamine	X		X	X	
103333	Azobenzene	X				
543806	Barium acetate	X				
100527	Benzaldehyde -	X	X			X
55210	Benzamide	X				

71432	Benzene -	X	X	X	X	
98486	Benzenedisulfonic acid	X				
98113	Benzenesulfonic acid	X		X	X	
68081812	Benzenesulfonic acid C10–16-alkyl derivatives, sodium salts	X		X	X	
92875	Benzidine	X				
134816	Benzil	X				
76937	Benzillic acid	X				
91769	Benzoguanamine	X				
65850	Benzoic acid -	X	X	X		X
119539	Benzoin	X				
100470	Benzonitrile	X				
119619	Benzophenone	X				
98077	Benzotrichloride	X				
98884	Benzoyl chloride	X				
94360	Benzoyl peroxide	X				
140114	Benzyl acetate	X				
100516	Benzyl alcohol	X				
120514	Benzyl benzoate	X				
100447	Benzyl chloride	X		X	X	
98873	Benzyl dichloride	X				
100469	Benzylamine	X				
1896624	Benzylideneacetone	X				
92524	Biphenyl	X		X		
542881	Bis(Chloromethyl)Ether	X				
80057	Bisphenol A	X		X	X	
	Brometone	X		X	X	
108861	Bromobenzene	X				
75252	Bromoform	X		X		
27497514	Bromonaphthalene	X				
106990	Butadiene (1,3-) -	X	X	X	X	X
	Butadiene and butene fractions	X		X	X	

106978	Butane -	X	X	X	X	
110634	Butanediol (1,4-)	X		X	X	
	Butanes, mixed	X		X	X	
	Butenes, mixed	X		X	X	
123864	Butyl acetate (n-) (Acetic Acid, butyl ester)	X		X	X	
105464	Butyl acetate (sec-)	X				
540885	Butyl acetate (tert-)	X				
141322	Butyl acrylate (n-)	X		X	X	
71363	Butyl alcohol (n-)	X		X	X	
78922	Butyl alcohol (sec-)	X		X	X	
75650	Butyl alcohol (tert-)	X		X	X	
136607	Butyl benzoate	X				
507200	Butyl chloride (tert-)	X				
75912	Butyl hydroperoxide (tert-)	X		X	X	
109795	Butyl mercaptan (n-)	X				
97881	Butyl methacrylate (n-)	X				
585-07-9	Butyl methacrylate (tert-)	X				
88186	Butyl phenol (tert-)	X				
109739	Butylamine (n-)	X				
13952846	Butylamine (s-)	X				
75649	Butylamine (t-)	X				
98066	Butylbenzene (tert-)	X				
98737	Butylbenzoic acid (p-tert-) -	X	X			X
85867	Butylbenzyl phthalate	X		X	X	
107880	Butylene glycol (1,3-)			X		
123728	Butyraldehyde (n-)	X		X	X	
107926	Butyric acid (n-) -	X	X			X
106310	Butyric anhydride (n-)	X		X	X	
96480	Butyrolacetone – must be Butyrolactone	X				
109740	Butyronitrile	X				
62544	Calcium acetate	X				

4075814	Calcium propionate	X				
142621	Caproic acid	X				
105602	Caprolactam	X		X	X	
63252	Carbaryl	X				
86748	Carbazole	X				
75150	Carbon disulfide	X		X	X	
558134	Carbon tetrabromide	X		X		
56235	Carbon tetrachloride	X		X	X	
75730	Carbon tetrafluoride	X				
75876	Chloral	X				
2435532	Chloranil (o-chloranil)	X				
79118	Chloroacetic acid	X			X	
532274	Chloroacetophenone (2-)	X				
108429	Chloroaniline (m-)	X				
95512	Chloroaniline (o-)	X				
106478	Chloroaniline (p-)	X				
89985	Chlorobenzaldehyde (2-)	X				
587042	Chlorobenzaldehyde (3-)	X				
104881	Chlorobenzaldehyde (4-)	X				
108907	Chlorobenzene	X		X	X	
118912	Chlorobenzoic acid (2-)	X				
535808	Chlorobenzoic acid (3-)	X				
74113	Chlorobenzoic acid (4-)	X				
2136892	Chlorobenzotrichloride (o-)	X				
5216251	Chlorobenzotrichloride (p-)	X				
609654	Chlorobenzoyl chloride (o-)	X				
122010	Chlorobenzoyl chloride (p-)	X				
25497294	Chlorodifluoroethane	X				
75456	Chlorodifluoromethane	X			X	
	Chlorofluorocarbons	X				
67663	Chloroform	X		X	X	

	Chlorohydrin	X				
25586430	Chloronaphthalene	X				
121733	Chloronitrobenzene (m-)	X				
88733	Chloronitrobenzene (o-)	X				
100005	Chloronitrobenzene (p-)	X		X	X	
108430	Chlorophenol (m-)	X				
95578	Chlorophenol (o-)	X				
106489	Chlorophenol (p-)	X				
126998	Chloroprene -	X				
7790945	Chlorosulfonic acid	X				
108418	Chlorotoluene (m-)	X				
95498	Chlorotoluene (o-)	X				
106434	Chlorotoluene (p-)	X				
79389	Chlorotrifluoroethylene	X				
67481	Choline chloride	X				
218019	Chrysene	X				
140103	Cinnamic acid	X				
77929	Citric acid	X		X	X	
	Cobalt acetate	X				
142712	Copper acetate	X				
108394	Cresol and cresylic acid (m-)	X				
95487	Cresol and cresylic acid (o-)	X				
106445	Cresol and cresylic acid (p-)	X				
1319773	Cresols and cresylic acids (mixed)	X				
4170300	Crotonaldehyde	X		X		
3724650	Crotonic acid -	X	X	X		X
98828	Cumene -	X	X	X	X	
80159	Cumene hydroperoxide -	X	X	X	X	X
420042	Cyanamide	X				
372098	Cyanoacetic acid	X				
	Cyanoformamide	X				

506774	Cyanogen chloride	X				
108805	Cyanuric acid	X				
108770	Cyanuric chloride	X		X	X	
110827	Cyclohexane -	X	X	X	X	
68512152	Cyclohexane, oxidized	X		X	X	
108930	Cyclohexanol -	X	X	X	X	X
108941	Cyclohexanone -	X	X	X	X	X
100641	Cyclohexanone oxime	X		X	X	
110838	Cyclohexene	X		X	X	
108918	Cyclohexylamine	X				
29965977	Cyclooctadiene	X				
3806595	Cyclooctadiene (1,3-)			X		
111784	Cyclooctadiene (1,5-)	X				
542-92-7	Cyclopentadiene (1,3-)	X				
75194	Cyclopropane	X		X	X	
91178	Decahydronaphthalene	X				
117828	Di(2-methoxyethyl) phthalate	X				
123422	Diacetone alcohol	X		X	X	
25260-60-0	Diacetoxy-2-Butene (1,4-)	X				
1087-21-4	Diallyl isophthalate	X				
131179	Diallyl phthalate	X				
27576041	Diaminobenzoic acids	X				
137097	Diaminophenol hydrochloride	X				
	Dibutanized aromatic concentrate	X		X		
17-83-9	Dibutoxyethyl phthalate	X				
760236	Dichloro-1-butene (3,4-)	X				
764410	Dichloro-2-butene (1,4-)	X				
27134276	Dichloroaniline (mixed isomers)	X				
541731	Dichlorobenzene (m-)	X				
95501	Dichlorobenzene (o-)	X				
106467	Dichlorobenzene (p-)	X				

91941	Dichlorobenzidine (3,3'-)	X				
75718	Dichlorodifluoromethane	X		X	X	
75785	Dichlorodimethylsilane	X		X	X	
107062	Dichloroethane (1,2-) (Ethylene dichloride) (EDC) -	X	X			
111444	Dichloroethyl ether (bis(2-chloroethyl) ether)	X				
540590	Dichloroethylene (1,2-)	X				
75434	Dichlorofluoromethane	X		X	X	
96231	Dichlorohydrin (a-)	X		X		
99-54-7	Dichloronitrobenzenes	X				
628-76-2	Dichloropentanes	X				
120832	Dichlorophenol (2,4-)	X				
78999	Dichloropropane (1,1-)	X				
542756	Dichloropropene (1,3-)	X				
	Dichloropropene/dichloropropane (mixed)	X				
1320372	Dichlorotetrafluoroethane	X				
461585	Dicyandiamide	X				
101837	Dicyclohexylamine	X				
77736	Dicyclopentadiene	X				
111422	Dietholamine (2,2'-Iminodiethanol)			X	X	
84662	Diethyl phthalate	X				
64675	Diethyl sulfate	X				
109897	Diethylamine	X				
579668	Diethylaniline (2,6-)	X				
91667	Diethylaniline (N,N-)	X				
25340174	Diethylbenzene	X		X	X	
111466	Diethylene glycol	X		X	X	
112732	Diethylene glycol dibutyl ether	X				
112367	Diethylene glycol diethyl ether	X				
111966	Diethylene glycol dimethyl ether	X				
112345	Diethylene glycol monobutyl ether	X				
124174	Diethylene glycol monobutyl ether acetate	X				

111900	Diethylene glycol monoethyl ether	X				
112152	Diethylene glycol monoethyl ether acetate	X				
111773	Diethylene glycol monomethyl ether	X				
629389	Diethylene glycol monomethyl ether acetate	X				
75379	Difluoroethane (1,1-)	X				
25167708	Diisobutylene	X				
26761400	Diisodecyl phthalate	X		X	X	
28553120	Diisononyl phthalate	X		X		
27554263	Diisooctyl phthalate	X				
108189	Diisopropylamine	X				
674828	Diketene (4-methylene-2-oxetanone) -	X	X			
115106	Dimethyl ether -	X	X			
131113	Dimethyl phthalate	X				
77781	Dimethyl sulfate	X				
75183	Dimethyl sulfide	X				
67685	Dimethyl sulfoxide	X				
120616	Dimethyl terephthalate -	X	X	X	X	X
127195	Dimethylacetamide (N,N-)	X				
124403	Dimethylamine	X		X		
108010	Dimethylaminoethanol (2-)	X				
121697	Dimethylaniline (N,N)	X				
119937	Dimethylbenzidine (3,3'-)	X				
68122	Dimethylformamide (N,N-)	X				
57147	Dimethylhydrazine (1,1-)	X				
526750	Dimethylphenol (2,3-) Xylenol (2, 3-)	X				
105679	Dimethylphenol (2,4-) Xylenol (2, 4-)	X				
95874	Dimethylphenol (2,5-) Xylenol (2, 5-)	X				
576261	Dimethylphenol (2,6-) Xylenol (2, 6-)	X		X		
95658	Dimethylphenol (3,4-) Xylenol (3, 4-)	X				
108689	Dimethylphenol (3,5-) Xylenol (3, 5-)	X				
25154545	Dinitrobenzenes (NOS)c	X				

99343	Dinitrobenzoic acid (3,5-)	X				
51285	Dinitrophenol (2,4-)	X				
602017	Dinitrotoluene (2,3-)	X				
121142	Dinitrotoluene (2,4-)	X		X	X	
606202	Dinitrotoluene (2,6-)	X		X	X	
610399	Dinitrotoluene (3,4-)	X				
117817	Dioctyl phthalate	X		X	X	
97392	Di-o-tolyguanidine	X				
123911	Dioxane (1,4-) (1,4-Diethyleneoxide)	X				
646060	Dioxolane (1,3-)	X				
101815	Diphenyl methane	X				
101848	Diphenyl oxide	X				
102089	Diphenyl thiourea (N,N'-)	X				
122394	Diphenylamine	X				
110985	Dipropylene glycol	X				
112414	Dodecene (branched)	X				
25378227	Dodecene (n-)	X		X	X	
123013	Dodecyl benzene (branched)	X			X	
121158585	Dodecyl phenol (branched)	X				
28675174	Dodecylaniline	X				
121013	Dodecylbenzene (n-)	X				
27176870	Dodecylbenzene sulfonic acid	X		X	X	
25155300	Dodecylbenzene sulfonic acid, sodium salt	X		X	X	
	Dodecylbenzene, nonlinear	X		X	X	
25103586	Dodecylmercaptan (branched)	X				
27193868	Dodecylphenol	X				
106898	Epichlorohydrin (1-chloro-2,3-epoxypropane)	X		X	X	
74840	Ethane -	X	X			
64175	Ethanol -	X	X	X	X	
141435	Ethanolamine (2-Aminoethanol)	X		X	X	
141786	Ethyl acetate (Acetic acid, ethyl ester)1 -	X	X	X	X	

141979	Ethyl acetoacetate	X				
140885	Ethyl acrylate	X		X	X	
74964	Ethyl bromide	X				
75003	Ethyl chloride (Chloroethane) -	X	X	X	X	
105395	Ethyl chloroacetate	X				
107120	Ethyl cyanide	X		X		
60297	Ethyl ether	X				
75081	Ethyl mercaptan (ethanethiol)	X				
122510	Ethyl orthoformate	X				
95921	Ethyl oxalate	X				
41892711	Ethyl sodium oxalacetate	X				
75047	Ethylamine	X				
103695	Ethylaniline (n-)	X				
578541	Ethylaniline (o-)	X				
100414	Ethylbenzene	X		X	X	
9004573	Ethylcellulose	X				
105566	Ethylcyanoacetate	X				
74851	Ethylene -	X	X	X	X	
96491	Ethylene carbonate	X				
107073	Ethylene chlorohydrin	X				
106934	Ethylene dibromide (Dibromoethane)	X		X	X	
107062	Ethylene dichloride -	X	X	X	X	X
107211	Ethylene glycol	X		X		
111557	Ethylene glycol diacetate	X				
112481	Ethylene glycol dibutyl ether	X				
629141	Ethylene glycol diethyl ether (1,2-diethoxyethane)	X				
110714	Ethylene glycol dimethyl ether	X				
542596	Ethylene glycol monoacetate	X				
111762	Ethylene glycol monobutyl ether	X		X	X	
112072	Ethylene glycol monobutyl ether acetate	X			X	
110805	Ethylene glycol monoethyl ether	X		X		

111159	Ethylene glycol monoethyl ether acetate	X		X	X	
109864	Ethylene glycol monomethyl ether	X		X	X	
110496	Ethylene glycol monomethyl ether acetate	X				
	Ethylene glycol monooctyl ether	X				
122996	Ethylene glycol monophenyl ether	X				
2807309	Ethylene glycol monopropyl ether	X				
75218	Ethylene oxide -	X	X	X	X	X
107153	Ethylenediamine	X				
60004	Ethylenediamine tetraacetic acid	X				
151564	Ethylenimine (Aziridine)	X				
149575	Ethylhexanoic acid (2-)	X				
103117	Ethylhexyl acrylate (2-isomer)	X				
	Ethylhexyl succinate (2-)	X				
25550145	Ethylmethylbenzene	X		X		
206440	Fluoranthene	X				
50000	Formaldehyde -	X	X	X	X	X
75127	Formamide	X				
64186	Formic acid -	X	X			X
110178	Fumaric acid	X				
111308	Glutaraldehyde	X				
367475	Glyceraldehyde	X				
56815	Glycerol	X		X	X	
26545737	Glycerol dichlorohydrin	X				
556525	Glycidol	X				
56406	Glycine	X				
	Glycol ethers	X				
107222	Glyoxal (ethane dial) -	X	X			X
	Guanidine	X				
506934	Guanidine nitrate	X				
592-76-7	Heptenes	X		X	X	
118741	Hexachlorobenzene	X				

87683	Hexachlorobutadiene	X				
77474	Hexachlorocyclopentadiene	X				
67721	Hexachloroethane	X				
36653824	Hexadecyl alcohol (1-hexadecanol)	X				
4860031	Hexadecyl chloride			X		
592450	Hexadiene (1,4-)	X				
3323533	Hexamethylene diamine adipate	X		X	X	
124094	Hexamethylenediamine	X		X	X	
100970	Hexamethylenetetramine	X		X	X	
110543	Hexane	X		X	X	
106694	Hexanetriol (1,2,6-)	X				
111273	Hexyl alcohol	X				
107415	Hexylene glycol	X				
	Higher glycols	X				
74908	Hydrogen cyanide -	X	X	X		X
123319	Hydroquinone	X				
141311	Hydroxyadipaldehyde	X				
99967	Hydroxybenzoic acid (p-)	X				
111422	Iminodiethanol (2,2-) (diethanolamine)	X				
123513	Isoamyl alcohol	X				
	Isoamyl chloride (mixed)	X				
26760645	Isoamylene	X				
75285	Isobutane	X		X	X	
78831	Isobutanol	X		X	X	
110190	Isobutyl acetate	X				
106638	Isobutyl acrylate	X				
97869	Isobutyl methacrylate	X				
109535	Isobutyl vinyl ether	X				
115117	Isobutylene	X		X	X	
78842	Isobutyraldehyde (2-methyl-propanal)	X		X	X	
79312	Isobutyric acid -	X	X			X

25339177	Isodecanol	X		X		
	Isohexyldecyl alcohol	X				
27458-94-2	Isononyl alcohol	X				
26952216	Isooctyl alcohol	X		X		
78784	Isopentane	X		X	X	
78591	Isophorone	X				
7027114	Isophorone nitrile	X				
121915	Isophthalic acid -	X	X	X		X
78795	Isoprene	X		X	X	
67630	Isopropanol	X		X	X	
108214	Isopropyl acetate	X				
75296	Isopropyl chloride	X				
108203	Isopropyl ether	X				
75310	Isopropylamine	X				
25168063	Isopropylphenol	X				
463514	Ketene	X		X	X	
79334	Lactic acid	X				
1643-20-5	Lauryl dimethylamine oxide	X				
6080564	Lead acetate	X				
17976-436-1	Lead phthalate	X				
1335326	Lead subacetate	X				
	Linear alcohols, ethoxylated and sulfated, sodium salt, mixed	X		X	X	
	Linear alcohols, ethoxylated, mixed	X		X	X	
	Linear alcohols, sulfated, sodium salt, mixed			X	X	
	Linear alkyl benzene (linear dodecylbenzene)	X				
142723	Magnesium acetate (Acetic acid, magnesium salt)	X		X		
110167	Maleic acid -	X	X			
108316	Maleic anhydride -	X	X	X	X	X
123331	Maleic hydrazide	X				
6915157	Malic acid	X				
108781	Melamine (1,3,5-triazine-2,4,6-triamine)	X		X		

1600277	Mercuric acetate	X				
141797	Mesityl oxide -	X	X	X	X	
121471	Metanilic acid	X				
79414	Methacrylic acid	X				
126987	Methacrylonitrile	X		X		
513428	Methallyl alcohol	X				
563473	Methallyl chloride	X				
74828	Methane -	X	X			
67561	Methanol -	X	X	X	X	
63683	Methionine	X				
79209	Methyl acetate -	X	X			
105453	Methyl acetoacetate	X				
96333	Methyl acrylate	X				
74839	Methyl bromide (Bromomethane)	X				
	Methyl butenols	X				
37365712	Methyl butynol	X				
74873	Methyl chloride (Chloromethane) -	X	X	X	X	
78933	Methyl ethyl ketone (2-butanone) -	X	X	X	X	X
107313	Methyl formate	X				
60344	Methyl hydrazine	X				
74884	Methyl iodide -	X	X	X		
108112	Methyl isobutyl carbinol	X				
108101	Methyl isobutyl ketone (Hexone)	X		X	X	
624839	Methyl isocyanate	X				
74931	Methyl mercaptan	X				
80626	Methyl methacrylate	X		X	X	
98851	Methyl phenyl carbinol	X				
119368	Methyl salicylate	X				
1634044	Methyl tert-butyl ether	X		X	X	
74895	Methylamine	X		X	X	
100618	Methylaniline (N-)	X				

910807	Methylbenzene (80/20 mixture) -	X				
137326	Methylbutanol (2-)	X				
108872	Methylcyclohexane	X				
25639423	Methylcyclohexanol	X				
1331222	Methylcyclohexanone	X				
75092	Methylene chloride (Dichloromethane)	X		X	X	
101779	Methylene dianiline (4,4'	X				
101688	Methylene diphenyl diisocyanate (4,4') (MDI)	X				
79696	Methylionones (a-)	X				
90120	Methylnaphthalene (1-)	X				
91576	Methylnaphthalene (2-)	X				
107835	Methylpentane (2-)	X		X		
77758	Methylpentynol	X				
98839	Methylstyrene (a-) -	X	X			X
110918	Morpholine	X				
91203	Naphthalene	X		X	X	
85472	Naphthalene sulfonic acid (a-)	X				
120183	Naphthalene sulfonic acid (b-)	X				
1338-24-5	Naphthenic acids	X				
90153	Naphthol (a-)	X				
135193	Naphthol (b-)	X				
567180	Naphtholsulfonic acid (1-)	X				
134327	Naphthylamine (1-)	X				
91598	Naphthylamine (2-)	X				
84866	Naphthylamine sulfonic acid (1,4-)	X				
81163	Naphthylamine sulfonic acid (2,1-)	X				
75832	Neohexane	X				
75989	Neopentanoic acid	X				
126307	Neopentyl glycol	X				
142825	n-Heptane	X		X	X	
3349-06-2	Nickel formate	X				

	Nitriloacetic acid	X				
99092	Nitroaniline (m-)	X				
88744	Nitroaniline (o-)	X				
100016	Nitroaniline (p-)	X				
91236	Nitroanisole (o-)	X				
100174	Nitroanisole (p-)	X				
98953	Nitrobenzene	X		X	X	
121926	Nitrobenzoic acid (m-)	X				
552169	Nitrobenzoic acid (o-)	X				
62237	Nitrobenzoic acid (p-)	X				
122-04-3	Nitrobenzoyl chloride (p-)	X				
79243	Nitroethane	X				
556887	Nitroguanidine	X				
75525	Nitromethane	X				
86577	Nitronaphthalene (1-)	X				
88755	Nitrophenol (o-)	X				
100027	Nitrophenol (p-)	X				
25322014	Nitropropane (1-)	X				
79469	Nitropropane (2-)	X				
1321126	Nitrotoluene (all isomers)	X				
99081	Nitrotoluene (m-)	X				
88722	Nitrotoluene (o-)	X				
99990	Nitrotoluene (p-)	X				
25168041	Nitroxylene	X				
27215958	Nonene	X		X	X	
1430808	Nonyl alcohol	X		X	X	
1081772	Nonylbenzene (branched)	X				
25154523	Nonylphenol	X		X	X	
25154523	Nonylphenol (branched)	X				
9016459	Nonylphenol, ethoxylated	X		X	X	
111659	Octane	X				

111660	Octene-1	X		X	X	
107459	Octylamine (tert-)	X				
27193288	Octylphenol	X				
	Oil-soluble petroleum sulfonate calcium salt	X		X	X	
	Oil-soluble petroleum sulfonate sodium salt	X		X		
144627	Oxalic acid	X				
471465	Oxamide	X				
	Oxo chemicals	X				
30525894	Paraformaldehyde	X				
123637	Paraldehyde	X				
87865	Pentachlorophenol	X				
78-11-5	Pentaerythritol tetranitrate	X				
109660	Pentane	X		X		
115775	Pentanethiol	X		X	X	
6032297	Pentanol (2-)	X				
584021	Pentanol (3-)	X				
109671	Pentene (1-)	X		X	X	
109682	Pentene (2-)	X				
79210	Peracetic acid	X				
594423	Perchloromethyl mercaptan	X				
62442	Phenacetin	X				
85018	Phenanthrene	X				
94702	Phenetidine (o-)	X				
156434	Phenetidine (p-)	X				
108952	Phenol -	X	X	X	X	X
77098	Phenolphthalein	X				
1333397	Phenolsulfonic acids (all isomers)	X				
91407	Phenyl anthranilic acid (all isomers)	X				
108452	Phenylenediamine (m-)	X				
95545	Phenylenediamine (o-)	X				
106503	Phenylenediamine (p-)	X				

89-25-8	Phenylmethylpyrazolone	X				
103651	Phenylpropane	X		X	X	
108736	Phloroglucinol (1,3,5-benzenetriol)	X				
75445	Phosgene	X		X	X	
88993	Phthalic acid	X				
85449	Phthalic anhydride -	X	X	X	X	X
85416	Phthalimide	X				
91156	Phthalonitrile	X				
109-06-8	Picoline (a-)	X				
108996	Picoline (b-)	X				
96-91-3	Picramic acid	X				
88891	Picric acid	X				
110850	Piperazine	X				
504609	Piperlyene	X				
25322683	Polyethylene glycol	X				
25322694	Polypropylene glycol	X				
127082	Potassium acetate	X				
74986	Propane -	X	X	X	X	
57578	Propiolactone (beta-) (2-Oxetanone)	X				
123386	Propionaldehyde	X		X	X	
79094	Propionic acid -	X	X	X		X
109604	Propyl acetate (n-)	X				
71238	Propyl alcohol (n-)	X		X	X	
540545	Propyl chloride	X				
107108	Propylamine	X				
115071	Propylene -	X	X	X	X	
127004	Propylene chlorohydrin	X		X		
57556	Propylene glycol	X		X	X	
107982	Propylene glycol monomethyl ether	X				
75569	Propylene oxide -	X	X	X	X	X
95636	Pseudocumene	X				

137-17-7	Pseudocumidine	X				
129000	Pyrene	X				
110861	Pyridine	X				
616455	Pyrrolidone (2-)	X				
106514	Quinone	X				
108463	Resorcinol (1,3-benzenediol)	X				
69727	Salicylic acid	X				
11206	Sebacic acid	X				
127093	Sodium acetate	X				
532321	Sodium benzoate	X				
3926623	Sodium chloroacetate	X				
143339	Sodium cyanide	X		X		
25155-30-0	Sodium dodecyl benzene sulfonate	X				
141537	Sodium formate	X				
124414	Sodium methoxide	X				
62760	Sodium oxalate	X				
139026	Sodium phenate	X				
137406	Sodium propionate	X				
110441	Sorbic acid	X				
50704	Sorbitol (D-Glucitol)	X		X	X	
588590	Stilbene	X				
100425	Styrene -	X	X	X	X	X
110156	Succinic acid	X				
110612	Succinonitrile	X				
121573	Sulfanilic acid	X				
126330	Sulfolane	X				
	Synthesis gas	X				
	Tallow acids, sodium salt Tetra (methyl-ethyl) plumbane	X				
526830	Tartaric acid	X				
100210	Terephthalic acid -	X	X	X	X	X
100209	Terephthaloyl chloride	X				

	Tetra (methyl-ethyl) lead	X		X	X	
632791	Tetrabromophthalic anhydride	X				
634-90-2	Tetrachlorobenzene (1,2,3,5-)	X				
95943	Tetrachlorobenzene (1,2,4,5-)	X				
79345	Tetrachloroethane (1,1,2,2-)	X		X		
127184	Tetrachloroethylene (Perchloroethylene)	X		X	X	
117088	Tetrachlorophthalic anhydride	X				
78002	Tetraethyl lead	X		X	X	
112607	Tetraethylene glycol	X				
112572	Tetraethylenepentamine	X				
116-14-3	Tetrafluoroethylene	X				
109999	Tetrahydrofuran	X		X	X	
119642	Tetrahydronapthalene	X				
85438	Tetrahydrophthalic anhydride	X				
110601	Tetramethylenediamine	X				
110189	Tetramethylethylenediamine	X				
75741	Tetramethyllead	X		X	X	
62566	Thiourea	X				
108883	Toluene	X		X	X	
95807	Toluene diamine (2,4-)	X		X		
584849	Toluene diisocyanate (2,4-)	X				
26471627	Toluene diisocyanates (mixture)	X		X	X	
1333079	Toluene sulfonamides (o- and p-)	X				
104154	Toluene sulfonic acids	X				
584-84-9 (2,4-TDI) and 91-08-7 (2,6-TDI)	Toluene-2,4 (and 2,6)-diisocyanate (80/20) mixture			X		
98599	Toluenesulfonyl chloride	X				
95534	Toluidine (o-)	X				
76039	Trichloroacetic acid	X				
634935	Trichloroaniline (2,4,6-)	X				

87616	Trichlorobenzene (1,2,3-)	X				
120821	Trichlorobenzene (1,2,4-)	X				
108703	Trichlorobenzene (1,3,5-)	X				
71556	Trichloroethane (1,1,1-)	X		X	X	
79005	Trichloroethane (1,1,2-)	X		X	X	
79016	Trichloroethylene	X		X	X	
75694	Trichlorofluoromethane	X		X	X	
95954	Trichlorophenol (2,4,5-)	X				
96184	Trichloropropane (1,2,3-)	X				
1330785	Tricresyl phosphate	X				
112709	Tridecyl alcohol	X				
102716	Triethanolamine	X		X	X	
121448	Triethylamine	X				
112276	Triethylene glycol	X		X	X	
112492	Triethylene glycol dimethyl ether	X				
112505	Triethylene glycol monoethyl ether	X				
112356	Triethylene glycol monomethyl ether	X				
7756947	Triisobutylene	X				
552307	Trimellitic anhydride	X				
144194	Trimethyl-1,3-pentanediol (2,2,4-)	X				
16325636	Trimethyl-1-pentanol (2,4,4-)	X				
75503	Trimethylamine	X				
933482	Trimethylcyclohexanol	X				
2408379	Trimethylcyclohexanone	X				
34216347	Trimethylcyclohexylamine	X				
77996	Trimethylolpropane	X				
540841	Trimethylpentane (2,2,4-)	X				
24800440	Tripropylene glycol	X				
57136	Urea	X				
88120	Vinyl (N-)-pyrrolidone (2-)	X				
108054	Vinyl acetate (Acetic acid, ethenyl ester)	X		X	X	

75014	Vinyl chloride (Chloroethylene)	X		X	X	
25013154	Vinyl toluene	X				
100403	Vinylcyclohexene (4-)	X				
75354	Vinylidene chloride (1,1-dichloroethylene)	X		X	X	
140896	Xanthates	X				
108383	Xylene (m-)	X	X	X	X	
1330207	Xylene (NOS)c	X		X	X	
95476	Xylene (o-) -	X	X	X	X	
106423	Xylene (p-) -	X	X	X	X	
25321419	Xylene sulfonic acid	X				
1300716	Xylenols (Mixed)	X				
1300738	Xylidene (2,3-)	X				
1300738	Xylidene (2,4-)	X				
1300738	Xylidene (2,5-)	X				
1300738	Xylidene (2,6-)	X				
1300738	Xylidene (3,4-)	X				
1300738	Xylidene (3,5-)	X				
5970456	Zinc acetate	X				

[a]CAS Number = Chemical Abstract Service number.

[b]Isomer means all structural arrangements for the same number of atoms of each element and does not mean salts, esters or derivatives.

pennsylvania
DEPARTMENT OF ENVIRONMENTAL PROTECTION

January 4, 2022

David Sumner
Executive Director
Independent Regulatory Review Commission
333 Market Street, 14th Floor
Harrisburg, PA 17120

Re: Proposed Rulemaking: VOC RACT Requirements for Shipbuilding and Ship Repair Surface Coatings, Large Petroleum Dry Cleaning Facilities and Synthetic Organic Chemical Manufacturing Industry Processes for the 2015 Ozone NAAQS (#7-568)

Dear Mr. Sumner:

Pursuant to Section 5(a) of the Regulatory Review Act, please find enclosed a copy of the VOC RACT Requirements for Shipbuilding and Ship Repair Surface Coatings, Large Petroleum Dry Cleaning Facilities and Synthetic Organic Chemical Manufacturing Industry Processes for the 2015 Ozone NAAQS proposed rulemaking (#7-568) for review by the Independent Regulatory Review Commission (Commission). This proposal is scheduled for publication in the *Pennsylvania Bulletin* on January 29, 2022, with a 66-day public comment period ending on April 4, 2022. The Environmental Quality Board adopted this proposal on September 21, 2021.

This proposed rulemaking would establish presumptive volatile organic compound (VOC) reasonably available control technology (RACT) requirements and RACT emission limitations for the following control techniques guidelines source categories: shipbuilding and ship repair surface coatings; large petroleum dry cleaning facilities; and synthetic organic chemical manufacturing industry (SOCMI) air oxidation, distillation and reactor processes as set forth in Annex A.

As set forth in the Regulatory Review Act, the Department will consider any comments and recommendations made by the Commission, as well as the House and Senate Environmental Resources and Energy Committees and the public, prior to final adoption of the enclosed rulemaking.

Please contact me by e-mail at laurgriffi@pa.gov or by telephone at 717.783.8727 if you have any questions or need additional information.

Sincerely,

Laura Griffin
Regulatory Coordinator

Enclosures

0120-FM-PO0011 6/2015

pennsylvania
DEPARTMENT OF ENVIRONMENTAL PROTECTION

COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF ENVIRONMENTAL PROTECTION
POLICY OFFICE

TRANSMITTAL SHEET FOR REGULATIONS SUBJECT TO THE REGULATORY REVIEW ACT

I.D. NUMBER: 7- 568

SUBJECT: VOC RACT Requirements for Shipbuilding and Ship Repair Surface Coatings, Large Petroleum Dry Cleaning Facilities and SOCMI Processes for the 2015 Ozone NAAQS

AGENCY: DEPARTMENT OF ENVIRONMENTAL PROTECTION, Environmental Quality Board

TYPE OF REGULATION

- [x] Proposed Regulation
- [ ] 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

RECEIVED
IRRC
2022 JAN -4 P 1:54

FILING OF REGULATION

DATE	SIGNATURE	DESIGNATION
1/4/22	Pam Nevgard	Majority Chair, HOUSE COMMITTEE ON ENVIRONMENTAL RESOURCES & ENERGY Representative Daryl Metcalfe
1/4/22		Minority Chair, HOUSE COMMITTEE ON ENVIRONMENTAL RESOURCES & ENERGY Representative Greg Vitali
1/4/2022	electronic submittal	Majority Chair, SENATE COMMITTEE ON ENVIRONMENTAL RESOURCES & ENERGY Senator Gene Yaw
1/4/2022	electronic submittal	Minority Chair, SENATE COMMITTEE ON ENVIRONMENTAL RESOURCES & ENERGY Senator Carolyn Comitta
		INDEPENDENT REGULATORY REVIEW COMMISSION David Sumner
		ATTORNEY GENERAL (for Final Omitted only)
1/4/2022	electronic submittal	LEGISLATIVE REFERENCE BUREAU (for Proposed only) Leah Brown

Kathy Cooper

From: Eyster, Emily
Sent: Tuesday, January 4, 2022 10:25 AM
To: Griffin, Laura; Troutman, Nick
Cc: Cole, Kate; Reiley, Robert A.; Kauffman, Gregory; Hartman, Michael
Subject: Re: Delivery of Proposed Rulemakings: 7-563, 7-564, 7-566, 7-568

Follow Up Flag: Follow up
Flag Status: Flagged

Good Morning Laura!

Proposed rulemaking has been received.

Thank you,

Emily Eyster
Legislative Director, Office of Senator Carolyn T. Comitta
Executive Director, Senate Environmental Resources and Energy Committee
Cell: (717) 756-4702
Phone: (717) 787-5709
www.pasenatorcomitta.com

From: Griffin, Laura <laurgriffi@pa.gov>
Sent: Tuesday, January 4, 2022 10:00 AM
To: Eyster, Emily <Emily.Eyster@pasenate.com>; Troutman, Nick <ntroutman@pasen.gov>
Cc: Cole, Kate <kacole@pa.gov>; Reiley, Robert A. <rreiley@pa.gov>; Kauffman, Gregory <grekauffma@pa.gov>; Hartman, Michael <Michael.Hartman@pasenate.com>
Subject: Delivery of Proposed Rulemakings: 7-563, 7-564, 7-566, 7-568
■ EXTERNAL EMAIL ■

Good morning,
Pursuant to Section 5(a) of the Regulatory Review Act, please find attached the following **four (4) proposed rulemakings** for review by the Senate Environmental Resources and Energy Committee:

1. #7-563 - NPDES Schedules of Compliance Proposed Rulemaking
2. #7-564 - Municipal Waster Rural Transfer Facility Permit-By-Rule Proposed Rulemaking
3. #7-566 (IRRC #3325) - Exclusion for Identification and Listing Hazardous Waste at MAX Environmental Technologies, Inc. Bulger and Yukon Facilities Proposed Rulemaking (REDELIVERY)
   - *This rulemaking is being redelivered due to changes to the Preamble in the public hearing section. No other changes have been made to the rulemaking package.*
4. #7-568 - VOC RACT Requirements for Shipbuilding and Ship Repair Surface Coatings, Large Petroleum Dry Cleaning Facilities and Synthetic Organic Chemical Manufacturing Industry (SOCMI) Processes for the 2015 Ozone NAAQS Proposed Rulemaking

Also attached are the transmittal sheets showing delivery to the House Environmental Resources and Energy Committee this morning.

Please confirm receipt of this rulemaking by replying to all recipients.
Thank you,
Laura
Laura Griffin | Regulatory Coordinator
she/her/hers
Department of Environmental Protection | Policy Office
Rachel Carson State Office Building
400 Market Street | Harrisburg, PA
Phone: 717.772.3277| Fax: 717.783.8926
Email: laurgriffi@pa.gov
www.dep.pa.gov
Connect with DEP on: Twitter | Facebook | LinkedIn | YouTube | Instagram

Kathy Cooper

From: Troutman, Nick
Sent: Tuesday, January 4, 2022 1:04 PM
To: Griffin, Laura; Eyster, Emily
Cc: Cole, Kate; Reiley, Robert A.; Kauffman, Gregory; Hartman, Michael
Subject: RE: Delivery of Proposed Rulemakings: 7-563, 7-564, 7-566, 7-568

Hi Laura! Got it. Thanks

From: Griffin, Laura <laurgriffi@pa.gov>
Sent: Tuesday, January 4, 2022 10:01 AM
To: Emily.Eyster@pasenate.com; Troutman, Nick <ntroutman@pasen.gov>
Cc: Cole, Kate <kacole@pa.gov>; Reiley, Robert A. <rreiley@pa.gov>; Kauffman, Gregory <grekauffma@pa.gov>; Michael.Hartman@pasenate.com
Subject: Delivery of Proposed Rulemakings: 7-563, 7-564, 7-566, 7-568
Importance: High

Good morning,

Pursuant to Section 5(a) of the Regulatory Review Act, please find attached the following **four (4) proposed rulemakings** for review by the Senate Environmental Resources and Energy Committee:

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Also attached are the transmittal sheets showing delivery to the House Environmental Resources and Energy Committee this morning.

Please confirm receipt of this rulemaking by replying to all recipients.

Thank you,
Laura

Laura Griffin | Regulatory Coordinator
she/her/hers

Department of Environmental Protection | Policy Office
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400 Market Street | Harrisburg, PA
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Kathy Cooper

From:	Bulletin <bulletin@palrb.us>
Sent:	Tuesday, January 4, 2022 3:06 PM
To:	Griffin, Laura; Code&Bulletin
Cc:	Adeline E. Gaydosh; Leah Brown; A.J. Mendelsohn
Subject:	[External] Re: Delivery of Proposed Rulemaking - VOC RACT for Shipbuilding, Dry Cleaning and SOCMI 2015 Ozone NAAQS (7-568)

ATTENTION: This email message is from an external sender. Do not open links or attachments from unknown sources. To report suspicious email, forward the message as an attachment to CWOPA_SPAM@pa.gov.

Hi Laura,

Thank you for sending this proposed rulemaking. It is indeed scheduled for publication in the 1/29 issue of the *Pennsylvania Bulletin*.

Have a terrific rest of your afternoon!
Adeline

From: Griffin, Laura <laurgriffi@pa.gov>
Sent: Tuesday, January 4, 2022 2:15 PM
To: Code&Bulletin <codeandbulletin@palrb.us>; Bulletin <bulletin@palrb.us>
Cc: Adeline E. Gaydosh <agaydosh@palrb.us>; Leah Brown <lbrown@palrb.us>; A.J. Mendelsohn <amendelsohn@palrb.us>
Subject: Delivery of Proposed Rulemaking - VOC RACT for Shipbuilding, Dry Cleaning and SOCMI 2015 Ozone NAAQS (7-568)

Good afternoon,
Please see the attached documents, including Word versions of the Preamble and Annex A, for Proposed Rulemaking – VOC RACT Requirements for Shipbuilding and Ship Repair Surface Coatings, Large Petroleum Dry Cleaning Facilities and Synthetic Organic Chemical Manufacturing Industry (SOCMI) Processes for the 2015 Ozone NAAQS (#7-568), for publication on **January 29, 2022.**
The transmittal sheet confirming receipt of the rulemaking by the House ERE Committee and email confirmation of receipt by both the Senate ERE Committee chairs is attached.
Please confirm that you received the rulemaking documents for publication.
Thank you!
Laura

Laura Griffin | Regulatory Coordinator
she/her/hers
Department of Environmental Protection | Policy Office
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