

## **Rule Synopsis**

**Draft OAC Rules 3745-21-01, 3745-21-09, 3745-21-23, 3745-21-24, 3745-21-26, 3745-21-27, 3745-21-28, 3745-21-29, 3745-72-02, 3745-72-05, 3745-72-06, 3745-110-01 and 3745-110-03.**

The Ohio EPA Division of Air Pollution Control (DAPC) has completed drafting new rules requiring reasonably available control technologies (RACT) for the control of VOC emissions from stationary sources. In addition, amendments have been made to existing rules under Ohio Administrative Code (OAC) Chapter 3745-21, Chapter 3745-72 (Low Reid Vapor Gasoline), and OAC Chapter 3745-110 (NOx RACT for Stationary Sources).

Four of the rules specified above (miscellaneous metal and plastic parts coatings, fiberglass boat manufacturing, miscellaneous industrial adhesives, automobile and light-duty truck assembly coatings, and the protocol for determining the daily volatile organic compound emission rate of automobile and light-duty truck primer-surfacer and topcoat operations) are new rules based upon control technique guidelines (CTG's) issued by U.S. EPA in 2008. These are discussed in greater detail under the rule specific headings below.

In addition to the above, three existing rules under Chapter 3745-72 (Low RVP gasoline) have been amended in order to clarify intent and two rules under Chapter 3745-110 (NOx RACT for Stationary Sources) have been amended to incorporate facility specific NOx RACT requirements.

Below is a summary of the draft changes to the rules. In addition to the changes outlined below several changes were incorporated into multiple rules to correct typographical/grammatical errors or to conform to the Legislative Service Commission formatting requirements.

## Rule Summary

### Summary of changes specific to rules under Chapter 3745-21 of the Administrative Code.

#### **OAC rule 3745-21-01: Definitions**

Pursuant to the four new CTG rules being proposed for adoption, new definitions will be added to paragraphs (HH), (II), (JJ), and (KK) of this rule. In addition, several definitions applicable to various rules of this Chapter have been amended as needed.

#### **OAC rule 3745-21-09: Control of volatile organic compound emissions from stationary sources.**

The requirements of paragraphs (C), (U), and (HH) will be phased out only for sources in Ashtabula, Cuyahoga, Geauga, Lake, Lorain, Medina, Portage, and Summit County. These sources will be required to comply with one of the four new CTGs in the future. This is discussed further below.

- Paragraph (C)

This paragraph identifies VOC requirements for surface coating of automobile and light-duty trucks. One of the four new CTGs, OAC rule 3745-21-29, based upon an updated CTG issued by USEPA for this source category, will replace this paragraph only for sources in Ashtabula, Cuyahoga, Geauga, Lake, Lorain, Medina, Portage, and Summit County upon the compliance date for the new rule. Language is being suggested for addition to the beginning of this paragraph to identify the phasing out of this paragraph for these Counties.

- Paragraph (U)

This paragraph identifies VOC requirements for surface coating of miscellaneous metal parts and products. One of the four new CTGs, OAC rule 3745-21-26, based upon an updated CTG issued by USEPA for this source category, will replace this paragraph only for sources in Ashtabula, Cuyahoga, Geauga, Lake, Lorain, Medina, Portage, and Summit County upon the compliance date for the new rule. Language is being suggested for addition to the beginning of this paragraph to identify the phasing out of this paragraph for these Counties.

- Paragraph (HH)

This paragraph identifies VOC requirements for Surface coating of automotive/transportation and business machine plastic parts. One of the four new CTGs, OAC rule 3745-21-26, based upon an updated CTG issued by USEPA for this source category, will replace this paragraph only for sources in Ashtabula, Cuyahoga, Geauga, Lake, Lorain, Medina, Portage, and Summit County upon the compliance date for the new rule. Language is being suggested for addition to the beginning of this paragraph to identify the phasing out of this paragraph for these Counties.

#### **OAC rule 3745-21-23: Industrial cleaning solvents.**

The following amendments are suggested:

- Correcting a typographical error in the table of standards. Specifically, the solvent cleaning operation for “ultraviolet ink and electron beam ink application equipment, except screen printing” will have the VOC content limitation standard amended from 4.2 pounds/gallon to correctly read 5.4 pounds/gallon.
- Due to the promulgation of a new CTG-based rule (i.e., boat manufacturing) an exemption has been added to paragraph (D)(2)(p) of this rule.
- Addition of the recordkeeping requirement in paragraph (J) for sources that claim exemption from this rule when VOC emissions are less than 15.0 pounds per day.

#### **OAC rule 3745-21-24: Flat wood paneling coatings.**

Amendments consist of adding the appropriate monitoring, record keeping and reporting requirements that were inadvertently omitted when this rule was originally promulgated.

**Summary of draft new rules pursuant to CTG's issued by U.S. EPA on  
September 30, 2008.**

**New OAC rule 3745-21-26: Miscellaneous metal and plastic parts coatings.**

This is a new rule that will regulate the VOC content of various coatings that are applied to the surfaces of a varied range of metal and plastic parts and products. The rule incorporates three options for controlling the VOC emissions for facilities involved with this type of surface coating activities. These include in addition to the use of low-VOC content limit coatings only, a combination of add-on controls and a lower VOC content limit coating, and the use of add-on controls only but achieving an overall VOC control efficiency of 90 percent. The rule also specifies application methods and work practices that should be incorporated with these coatings.

The RACT requirements specified in this rule are based upon US EPA's CTG document entitled "Control Techniques Guidelines for Miscellaneous Metal and Plastic Parts Coatings" dated September 2008.

This rule will apply to such sources located in Ashtabula, Cuyahoga, Geauga, Lake, Lorain, Medina, Portage, and Summit County. The requirements of paragraph (U) and (HH) of OAC rule 3745-21-09 will no longer apply to these sources after the compliance date for facilities subject to the requirements of OAC rule 3745-21-26.

**New OAC rule 3745-21-27: Fiberglass boat manufacturing.**

This is a new rule that will regulate the VOC content of polyester resin coatings and the VOC content cleanup used in fiberglass boat manufacturing operations. In addition, this rule specifies the type of application equipment to be used when applying coatings and work practice standards to be followed in order to reduce VOC emissions.

The RACT requirements specified in this rule are based upon U.S. EPA's CTG document entitled "Control Techniques Guidelines for Fiberglass Boat Manufacturing" dated September 30, 2008.

This rule will apply to such sources located in Ashtabula, Cuyahoga, Geauga, Lake, Lorain, Medina, Portage, and Summit County.

**New OAC rule 3745-21-28: Miscellaneous industrial adhesives.**

This is a new rule that will regulate emissions of VOCs from miscellaneous industrial adhesive application processes. The rule sets VOC limits for Adhesives, sealants, adhesive primers or sealant primers as well as clean up solvents. The rule also contains work practice standards to be followed in order to reduce VOC emissions.

The RACT requirements specified in this rule are based upon U.S. EPA's CTG document entitled "Control Techniques Guidelines for Fiberglass Boat Manufacturing" dated September 30, 2008. This rule does not affect adhesives, sealants, adhesive primers or sealant primers that are already regulated under Chapter 3745-112 of the Administrative Code.

This rule will apply to such sources located in Ashtabula, Cuyahoga, Geauga, Lake, Lorain, Medina, Portage, and Summit County.

**New OAC rule 3745-21-29: Automobile and light-duty truck assembly coatings.**

This is a new rule that will establish VOC controls for reducing VOC emissions stemming from the use of coatings in automobile and light-duty truck assembly coating operations. This rule sets VOC limits for coatings as well as work practice standards to be followed in order to reduce VOC emissions.

The RACT requirements specified in this rule are based upon U.S. EPA's CTG document entitled "Control Techniques Guidelines for Automotive and Light-Duty Truck Assembly Coatings" dated September 30, 2008.

This rule will apply to such sources located in Ashtabula, Cuyahoga, Geauga, Lake, Lorain, Medina, Portage, and Summit County. The requirements of paragraph (C) of OAC rule 3745-21-09 will no longer apply to these sources after the compliance date for facilities subject to the requirements of OAC rule 3745-21-26.

**Summary of changes to specific rules under Chapter 3745-72 of the Administrative Code "Low Reid Vapor Pressure Fuel Requirements."**

**OAC rule 3745-72-02: Definitions.**

Paragraph (B)(12) of this rule has been amended by adding the following text to the end of the sentence "... except as provided in paragraph (A) of rule 3745-72-07 of the Administrative Code."

**OAC rule 3745-72-05: Liability.**

Paragraphs (A)(3) and (E)(3) of this rule has been amended by replacing the word “produced” with the word “blended.”

**OAC rule 3745-72-06: Defenses.**

Paragraph (A)(4)(b) of this rule has been amended by replacing the “or” at the end of the paragraph with the word “and.”

**Summary of changes specific to rules under Chapter 110 of the Administrative Code “NOx Reasonably Available Control Technology.”**

**OAC rule 3745-110-03: RACT limitations for emissions of NOx from stationary sources.**

The amendments consist of adding site specific NOx emission limits pursuant to RACT studies submitted by two facilities (i.e., Northeast Ohio regional Sewer District, Southerly Wastewater Treatment Center, and ArcelorMittal Cleveland, Inc.)