RULEMAKING FACT SHEET
TITLE 5 MRSA § 8057-A

AGENCY: Department of Environmental Protection

NAME, ADDRESS, PHONE NUMBER OF AGENCY CONTACT PERSON:

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CHAPTER NAME AND RULE TITLE: Chapter 129 Surface Coating Facilities

STATUTORY AUTHORITY: Title 38 MRSA § 585-A

DATE AND PLACE OF PUBLIC HEARING: No public hearing – 30 day written comment period - opportunity for public hearing. A public hearing will be scheduled if requests are received prior to the close of the public comment period. Written comments may be submitted by mail, e-mail or fax to the contact person before the end of the comment period. To ensure the comments are considered, they must include your name and the organization you represent, if any.

COMMENT DEADLINE: August 31, 2012 5:00 P.M.

PRINCIPAL REASON OR PURPOSE FOR PROPOSING THIS RULE:

Section 184 of the Clean Air Act requires states to implement or update reasonably available control technology (RACT) controls on all major VOC and NOx emission sources and on source categories covered by a Control Technique Guideline (CTG) document. EPA defines RACT as the lowest emission limit that a particular source is capable of meeting by the application of control technology that is reasonably available considering technological and economic feasibility. In the late 1970's, EPA published CTGs recommending VOC controls for miscellaneous metal parts and products, which was updated in September 2008 to amend the VOC limits and include plastic parts and products. The Department is proposing to include these updates in Chapter 129.

ANALYSIS AND EXPECTED OPERATION OF THE RULE:

The Department's proposal expands the types of coating operations regulated by Chapter 129 to include plastic parts and products. The amendments provide for five major surface

coating categories with numerous subcategories in each to further identify which coatings are subject to a specific emission limit. The emission limits are expressed as kg/lb VOC per liter/gal of coating and kg/lb VOC per liter/gal solids which are achieved by using low-VOC coatings and add-on controls either alone or in combination.

The compliance date for the proposed VOC emissions limits and other control requirements is January 1, 2014.

FISCAL IMPACT OF THE RULE:

There may be some cost to facilities to convert to low VOC coatings or install add-on control technology.

BENEFITS OF THE RULE: Volatile organic compounds (VOC) contribute to ground-level ozone formation or smog which aggravates respiratory ailments such as asthma, bronchitis, and emphysema. The presence of ozone impedes the breathing of even healthy people.