Agenda Item: 10-30 **Hearing Officer's Report on Revisions to Section .0900-Volatile Organic Compounds**

Explanation: Public hearings were held on April 27 and 29, 2010 on the proposed revisions to incorporate EPA Control Techniques Guidelines (CTG) concerning what types of controls could constitute Reasonable Available Control Technology (RACT) for eleven source categories to comply with the requirements of Sections 172(c)(1) and 182(b)(2) of the Clean Air Act. The proposed rule revisions were published in *The North Carolina Register* Volume 24, Issue 17, pages 1508-1539. Commissioner Tom Ellis served as the hearing officer for this hearing report.

The following revisions to 15A NCAC 2D.0900, Volatile Organic Compounds, were necessary to translate each CTG into rule requirements:

1. Amendments to 15A NCAC 02D Rules- .0909 Compliance Schedules for Sources in Nonattainment Areas; .0922, Metal Furniture Coatings; .0923, Surface Coating of Large Appliance Parts; .0935, Factory Surface Coating Of Flat Wood Paneling; .0902, Applicability; .0951, Miscellaneous Volatile Organic Compound Emissions, .0952 Petition for Alternative Controls for RACT, plus amendments to 15A NCAC 02Q .0306, Permits Requiring Public Participation.

2. Adoptions of the Rules to 15A NCAC 02D Rules - .0961, Offset Lithographic Printing and Letterpress Printing; .0962, Industrial Cleaning Solvents; .0963, Fiberglass Boat Manufacturing; .0964, Miscellaneous Industrial Adhesives; .0965, Flexible Package Printing; .0966, Paper, Film and Foil Coatings; .0967, Miscellaneous Metal and Plastic Parts Coatings; .0968, Automobile and Light-Duty Truck Assembly Coatings.

3. Repeals of the current 15A NCAC 02D Rules: .0917, Automobile and Light-duty Truck Manufacturing; .0921, Fabric and Vinyl Coating; .0920, Paper Coating; .0934, Coating of Miscellaneous Metal Parts and Products; and .0936, Graphic Arts.

Four persons commented on the changes to Section .0900-Volatile Organic Compounds for the hearing record during the comment period. One commenter made several recommendations about value expressions for VOC content limits, additions of various definitions, and clarifications of different terms, and applicability of various requirements.

The second commenter recommended revising various definitions and terms, clarifying applicability requirements and stack test methods,

including additional provisions for cleaning materials usage, recordkeeping requirements, and various factors on determining applicability and compliance.

The third commenter focused in his comments on the Rule 15A NCAC 02D .0967, Miscellaneous Metal and Plastic Parts Coatings. He recommended not incorporating in the NC rule specific VOC limits for eight categories of pleasure craft (i.e., recreational boats) surface coatings based on SCAQMD Rule 1106.1 that EPA recommended in the final CTG. Clarification from EPA was received regarding this matter.

The United States EPA recommended, in its comments, to change the value in Table 1, under "Volatile Organic Compounds Emissions Limit for Electrodeposition Primer Operations," to 0.7 lb/gal coatings solids applied in Rule 15A NCAC 02D 0968, Automobile and Light-Duty Truck Assembly Coatings and to replace the number zero with a degree symbol (^{0}F) in Rule 15A NCAC 02D .0963 – "Fiberglass Boat Manufacturing Materials."

Recommendation: The Hearing Officer recommends that the proposed amendments as presented in Chapter II of this hearing report be adopted by the Environmental Management Commission.