FACT SHEET

In re: Proposed revisions to Air Pollution Control Regulation No. 36 "Control of Emissions from Organic Solvent Cleaning"

Introduction

The Department of Environmental Management (DEM), Office of Air Resources, is proposing to amend air pollution control regulation, 250-RICR-120-05-36 "Control of Emissions from Organic Solvent Cleaning" (Part 36). Part 36 limits volatile organic compound emissions from solvent cleaning operations.

Description of Proposed Amendments

The regulation is being amended to incorporate requirements for industrial cleaning solvents used at facilities whose emissions of volatile organic compounds (VOC) from industrial cleaning operations are greater than 2.7 tons in any twelve-month period. The rule **exempts** cleaning activities associated with any category listed below:

- Coating operations subject to Part 19 of this Subchapter (Control of Volatile Organic Compounds from Surface Coating Operations);
- Wood product coating operations subject to Part 35 of this Subchapter (Control of Volatile Organic Compounds and Volatile Hazardous Air Pollutants from Wood Products Manufacturing Operations);
- Printing operations subject to Part 21 of this Subchapter (Control of Volatile Organic Compound Emissions from Printing Operations);
- Fiberglass boat manufacturing subject to Part 51 of this Subchapter (Control of Volatile Organic Compound Emissions from Fiberglass Boat Manufacturing); or
- Adhesives, sealants, adhesive primers, and sealant primers subject to Part 44 of this Subchapter (Control of Volatile Organic Compounds from Adhesives and Sealants).
- Solvent cleaning activities using solvent cleaning machines;
- Solvent cleaning used for quality control or laboratory testing, research and development, medical device manufacturing or pharmaceutical manufacturing;
- Any industrial solvent cleaning activity that uses 55 gallons or less of an industrial cleaning solvent in any 12-month rolling period calendar year;
- Janitorial cleaning activities;
- Cleaning of screen printing equipment, if the cleaning solvent used has an as-applied VOC content that does not exceed 500 grams VOC per liter, equivalent to 4.2 lb/gal;
- A cleaning activity, including surface preparation prior to coating, necessary to meet a standard or specification issued or approved by the United States Department of Defense, Federal Aviation Administration, or other federal government entity;
- Cleaning of electrical and electronic components;
- Cleaning of high-precision optics;

- Cleaning of equipment which comes into contact, in both the manufacturing and end uses, with resins, coatings, inks, and adhesives, such as mixing, molding, and application equipment;
- Stripping of cured coatings, ink, or adhesives;
- Cleaning operations in printing pre-press areas, including the cleaning of film processors, film cleaning, and plate cleaning; or
- Cleaning of plastic-based or vinyl-based substrates for use in the screen printing process when using ultraviolet (UV) curable ink and coatings systems.

The amendments include work practice requirements, limitations on the VOC content of solvents used for industrial solvent cleaning and recordkeeping requirements.

Additionally, definitions have been added and portions of the regulation that no longer apply have been eliminated. The regulation has been updated to current RI Code of Regulations (RICR) format which required the addition of an incorporated materials section.

Demonstration of Need

On March 6, 2017, EPA issued a finding of failure to submit to Rhode Island for failure to submit required State Implementation Plan (SIP) components to address Clean Air Act requirements for the 2008 Ozone National Ambient Air Quality Standard. The finding establishes deadlines by which states either must submit complete SIP revisions or become subject to sanctions. The offset sanction is currently in place.

Specifically, 40 CFR § 51.1116 required RI to submit a SIP revision that meets the requirements of Section 184(b) of the Clean Air Act. Section 184(b) requires states in the ozone transport region 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. In 2006, EPA published a CTG recommending VOC controls for industrial solvent cleaning activities. The Department is proposing to incorporate this CTG into Part 36, “Control of Emissions from Organic Solvent Cleaning,” which will be submitted to the U.S. Environmental Protection Agency for approval in Rhode Island's State Implementation Plan. RI must make a complete SIP submission by March 6, 2019, or further sanctions may be imposed.

Additionally, in 2016, the state revised the Administrative Procedures Act to require that every state regulation be rewritten into the new RICR format by December 31, 2018, or it will no longer be enforceable. In order to meet this requirement, Part 36 is being revised to the required RICR format which included the addition of an incorporated materials section.

Alternative Approaches Considered

No alternative approaches were considered.

Identification of Overlapped or Duplicated State Regulations

The Office of Air Resources has identified no state regulations that overlap or duplicate the proposed amendments.

Determination of Significant Adverse Economic Impact on Small Business or Any City or Town

The Office of Air Resources has determined that implementation of the amendments to Part 36 would not have a significant adverse economic impact on small businesses or cities and towns in the State. Alternative cleaning solvents are readily available that meet these emissions limitations.

For more information or copies of the proposed amendments contact:

Karen Slattery, Supervising Air Quality Specialist
Office of Air Resources
235 Promenade Street
Providence, RI 02908
Phone: (401) 222-2808 ext. 7030
E-Mail: karen.slattery@dem.ri.gov
Or, visit the Proposed Regulations section of the DEM website at:
http://www.dem.ri.gov/documents/regulations/