R-39 REV. 1/77

IMPORTANT: Read Instructions on bottom of Certification Page before completing this form. Failure to comply with instructions may cause disapproval of proposed Regulations.

STATE OF CONNECTICUT

REGULATION

OF

NAME OF AGENCY

Environmental Protection

Concerning

JUL 26 2 24 PM '07
SECRETARY OF THE STATE
ELECTIONS DIVISION

Amendment of Section 22a-174-20(*l*), Metal Cleaning; Adoption of Section 22a-174-40, Consumer Products; and Adoption of 22a-174-41, Architectural and Industrial Maintenance Products

Section 1

Section 1. Subdivision (1) of subsection (*l*) of section 22a-174-20 of the Regulations of Connecticut State Agencies is amended to read as follows:

(*l*)(1) Definitions. For the purposes of this subsection:

(A) "Air knife system" means "air knife system" as defined in 40 CFR 63.461.

(B) "Cold cleaning" means the batch process of cleaning and removing soils from metal surfaces by spraying, brushing[,] or flushing with or [immersion while maintain the degreasing solvent below its boiling point] immersing in an unheated degreasing solvent. Wipe cleaning is not included in this definition.

(C) "Continuous web cleaning machine" means "continuous web cleaning machine" as defined in 40 CFR 63.461.

(D) "Conveyorized degreasing" means the continuous process of cleaning and removing soils from metal surfaces by operating with either cold or vaporized degreasing solvents.

(E) "Degreasing solvent" means any volatile organic compound used for metal cleaning.

(F) "Freeboard height" means, for a cold cleaner, the distance from the liquid solvent in the degreaser tank to the lip of the tank. For an open top vapor degreaser it is the distance from the solvent vapor level in the tank during idling to the lip of the tank. For a vapor conveyorized degreaser, it is the distance from the vapor level to the bottom of the entrance or exit opening whichever is lower. For a cold conveyorized degreaser, it is the distance from the liquid solvent level to the bottom of the entrance or exit opening whichever is lower.

(G) "Freeboard ratio" means the freeboard height divided by the smaller interior dimension (length, width or diameter) of the degreaser.

(H) "Open top vapor degreasing" means the batch process of cleaning and removing soils from metal surfaces by condensing hot degreasing solvent vapor on the colder metal parts.

(I) "Metal cleaning" means the process of cleaning soils from metal surfaces by cold cleaning or open top vapor degreasing or conveyorized degreasing.

(J) "Refrigerated chiller" means a device, [device which is] mounted above the water jacket and the primary condenser coils, [consisting] that consists of secondary coils which carry a refrigerant to provide a chilled air blanket above the solvent vapor to reduce emissions from the degreaser bath. The chilled air blanket temperature, measured at the centroid of the degreaser at the coldest point, shall be no greater than thirty (30) percent of the solvent's boiling point in degrees Fahrenheit.

(ii) maintain a solvent spray [at a] pressure [which] that does not exceed ten (10) pounds per square inch as measured at the pump outlet, and

(iii) perform [such] spraying within the confines of the cold cleaning unit.

[(G) Install one of the following control devices if the solvent vapor pressure is greater than 4.3 kilo pascals (33 millimeters of mercury or 0.6 pounds per square inch) measured at 38 degrees Celsius (100 degrees Fahrenheit) or if the solvent is heated above 50 degrees Celsius (120 degrees Fahrenheit):

(i) freeboard that gives a freeboard ratio greater than or equal to 0.7;

(ii) water cover (solvent must be insoluble in and heavier than water); or

(iii) other systems of equivalent control, equal to that of a "refrigerated chiller" or carbon adsorption approved by the commissioner by permit or order.]

[(H)](G) Minimize the drafts across the top of each cold cleaning unit such that whenever the cover is open the unit is not exposed to drafts greater than 40 meters per minute, as measured between [1] one and [2] two meters upwind, [and] at the same elevation as the tank lip.

[(I)](H) Do not operate the unit upon the occurrence of any visible solvent leak until such leak is repaired. Any leaked solvent or solvent spilled during transfer shall be cleaned immediately, and the wipe rags or other sorbent material used to clean the spilled or leaked solvent shall be immediately stored in covered containers for disposal or recycling.

[(J)](I) Provide a permanent, conspicuous label on or posted near each unit summarizing the applicable operating requirements.

[(K)](J) Maintain [a monthly record of the amount of solvent added to each unit and keep such record for a minimum of two (2) years after such record is made.] records of the information identified in this subparagraph for a minimum of five (5) years after such record is made:

(i) The type of solvent used, including a description of the solvent and the solvent name,

(ii) The vapor pressure of the solvent in mmHg measured at 20 degrees Celsius (68 degrees Fahrenheit),

(iii) The percent VOC content by weight, and

(iv) The amount of solvent added to each unit on a monthly basis.

(K) On or after May 1, 2008, use only solvent that has a vapor pressure less than or equal to 1.0 mmHg at 20 degrees Celsius.

(L) Shall not clean sponges, fabric, wood, leather, paper and other absorbent material in a cold cleaning machine.

Sec. 3

Sec. 3. Subdivisions (5) and (6) of subsection (*l*) of section 22a-174-20 of the Regulations of Connecticut State Agencies are amended to read as follows:

(*l*)(5) The owner or operator of any conveyorized degreaser shall meet the requirements of this subdivision.

(A) Install one of the following control devices:

(i) Refrigerated chiller;

(ii) Carbon adsorption system, with ventilation greater than or equal to fifteen (15) cubic meters per minute per square meter (50 cubic feet per minute per square foot) of solvent/air area (when downtime covers are open), and exhausting less than twenty five (25) parts per million of degreasing solvent by volume averaged over each complete adsorption cycle; or

(iii) A system, demonstrated to have a control efficiency equivalent to or greater than that required of the carbon adsorption system required in this subparagraph, which is approved by the commissioner by permit or order.

(B) Provide the following safety switches:

(i) A condenser flow switch and device [which] that shuts off the sump heat if the condenser coolant is not circulating or if the vapor level rises above the height of the primary coil; and

(ii) A spray safety switch [which] that shuts off the spray pump or the conveyor if the vapor level drops more than ten (10) centimeters (4 inches) below the lowest condensing coil.

(C) Store waste degreasing solvent only in covered containers and not dispose of waste degreasing solvent or transfer it to another party, such that greater than twenty (20) percent of the waste degreasing solvent (by weight) can evaporate into the atmosphere.

(D) Rack parts to allow complete drainage.

(E) Maintain conveyor speed at less than eleven (11) feet per minute, except that the owner or operator of any continuous web cleaning machine equipped with a squeegee system, air knife system or similar system to remove solvent film from the surfaces of a continuous web part, operated and maintained such that no visible solvent film remains on the continuous web part immediately after it exits the cleaning machine, shall be exempt from the conveyor speed requirement of this subparagraph.

(F) Use either a drying tunnel, rotating basket, or other equivalent method to prevent cleaned parts from carrying out solvent liquid.

(G) Place covers over entrances and exits immediately after conveyors and exhausts are shutdown, leaving them in place until just prior to start-up.

(H) Minimize openings during operation so that entrances and exits will silhouette workloads with an average clearance between the parts and the edge of the degreasing unit opening of less than ten (10) centimeters (4 inches) or less than ten (10) percent of the width of the opening.

(I) Prevent water from being visually detectible in solvent exiting the water separator.

(J) Do not provide exhaust ventilation exceeding twenty (20) cubic meters per minute per square meter (65 cubic feet per minute per square foot) of degreasing unit open area, unless necessary to meet OSHA requirements.

(K) Do not operate the unit upon the occurrence of any visible solvent leak until such leak is repaired.

(L) Provide a permanent, conspicuous label on or posted near each unit summarizing the applicable operating requirements.

(M) Maintain a monthly record of the amount of solvent added to each unit and keep such record for [two (2)] five (5) years after such record is made.

(*l*)(6) The commissioner may deem a cold cleaning unit in compliance with the requirements of subparagraphs (A), (B), and (D) of [subdivision] subsection (*l*)(3) of this section, notwithstanding that such unit is uncovered, if the owner or operator submits written documentation to the commissioner's satisfaction demonstrating such unit provides equal or better control of volatile organic compound emissions than a similar cold cleaning unit meeting such requirements. The [commissioner shall make such a determination based upon] written documentation shall include information demonstrating compliance with the following criteria:

(A) The cold cleaner [must] shall have a remote solvent reservoir;

(B) On or prior to April 30, 2008, [The] the solvent used in the cold cleaner must not have a vapor pressure that exceeds 4.3kPa (33mm Hg or 0.6 PSI) measured at 38° C (100° F) or be heated above 50° C (120° F);

(C) The sink-like work area [must] shall have an open drain area less than 100 cm^2; and

(D) [Evidence is provided that] The waste solvent [will] shall be stored or properly disposed of with minimal loss due to evaporation.

Sec. 4. Subsection (*l*) of section 22a-174-20 of the Regulations of Connecticut State Agencies is amended by adding subdivisions (7), (8) and (9), as follows:

(NEW)
(7) Subsections (*l*)(3)(F) and (*l*)(3)(G) of this section shall not apply to the owner or operator of any cold cleaning unit used for special and extreme solvent metal cleaning if the owner or operator complies with the following requirements:

(A) Limits the amount of solvent consumed in special and extreme solvent metal cleaning spray operations at the premises, excluding solvent capture and recycled, to less than 3,000 gallons in any 12-month period;

(B) Uses a solvent with a VOC content less than 7.7 pounds per gallon; and

(C) In addition to the records required pursuant to subsection (*l*)(3)(J) of this section, makes and maintains records sufficient to demonstrate compliance with subparagraphs (A) and (B) of this subdivision.

(8) Subsection (*l*)(3)(K) of this section shall not apply to the owner or operator of any of the following cold cleaning units:

(A) Used for special and extreme solvent metal cleaning;

(B) For which the owner or operator has submitted a demonstration that compliance with subsection (*l*)(3)(K) of this section will result in unsafe operating conditions and received approval from the commissioner; or

(C) Located in a permanent total enclosure equipped with control equipment that is designed and operated with an overall VOC removal efficiency of 90 percent or greater.

(9) On and after May 1, 2008, any person who sells or offers for sale any solvent containing VOCs for use in a cold cleaning machine shall provide to the purchaser the following information:

(A) The type of solvent including a description of the solvent and the solvent name,

(B) The vapor pressure of the solvent measured in mmHg at 20 degrees Celsius (68 degrees Fahrenheit); and

(C) The percent VOC content by weight.

Sec. 6

Coating category	VOC content limit (grams VOC per liter)
Stains	250
Swimming pool coatings and swimming pool repair and maintenance coatings	340
Temperature-indicator safety coatings	550
Thermoplastic rubber coatings and mastics	550
Traffic marking coatings	150
Waterproofing sealers	250
Waterproofing concrete/masonry sealers	400
Wood preservatives	350

Statement of Purpose: This proposal amends one and adopts two sections of the air quality regulations to reduce volatile organic compound (VOC) emissions, assisting Connecticut to attain the federal 8-hour ozone national ambient air quality standard. More specifically:

The amendment of R.C.S.A. section 22a-174-20(*l*) contained in ***Sections 1-4*** adds a limitation on the vapor pressure of solvents used in cold cleaning and other requirements to further limit emissions of VOCs from metal cleaning. The limitation and other requirements are consistent with the Ozone Transport Commission's Model Rule for Solvent Cleaning. The amendment also adds an exemption from a conveyor speed requirement for the owners and operators of continuous web cleaning machines operated with other equipment to control the release of VOCs; and definitions necessary to implement the revised requirements.

Section 5, the adoption of R.C.S.A. section 22a-174-40, restricts emissions of VOCs from consumer products through VOC content limits developed by the Ozone Transport Commission as part of a model rule, enhanced with additional requirements developed by the California Air Resources Board in 2005.

Section 6, the adoption of R.C.S.A. section 22a-174-41, restricts emissions of VOCs from architectural and industrial maintenance coatings through the use of VOC content limits developed by the Ozone Transport Commission as part of a model rule.

CERTIFICATION
R-39 REV. 1/77

Be it known that the foregoing:

☒ Regulations ☐ Emergency Regulations

Are:

☒ Adopted ☒ Amended as herinabove stated ☐ Repealed

By the aforesaid agency pursuant to:

☒ Section 22a-174 of the General Statutes

☐ Section _____ of the General Statutes as amended by Public Act No. _____ of the _____ Public Acts.

☐ Public Act No. _____ of the Public Acts.

After Publication in the Connecticut Law Journal on May 23rd 20 06, of the notice of the proposal to:

☒ Adopt ☒ Amend ☐ Repeal such regulations

(If applicable): ☒ And the holding of an advertised public hearing on the 27th day of June 20 06

WHEREFORE, the foregoing regulations are hereby:

☒ Adopted ☒ Amended as herinabove stated ☐ Repealed

Effective:

☒ When filed with the Secretary of the State

(OR)

☐ The _____ day of _____ 20 ____

In Witness Whereof:	DATE 6/11/07	SIGNED *(Head of Board, Agency or Commission)* Amey Marrella	OFFICIAL TITLE, DULY AUTHORIZED Deputy Commissioner
Approved by the Attorney General as to legal sufficiency in accordance with Sec. 4--169, as amended, C.G.S.:		SIGNED [illegible] 6/14/07	OFFICIAL TITLE, DULY AUTHORIZED ASSOC. ATTY. GENERAL

☐ ~~Approved~~

☐ Disapproved

☐ Disapproved in part, *(Indicate Section Numbers disapproved only)*

☐ Rejected without prejudice.

By the Legislative Regulation Review Committee in accordance with Sec. 4-170, as amended, of the General Statues	DATE 7/24/07	SIGNED *(Clerk of the Legislative Regulation Review Committee)* [illegible]

Two certified copies received and filed, and one such copy forwarded to the Commission on Official Legal Publications in accordance with Section 4-172, as amended, of the General Statutes.

DATE	SIGNED *(Secretary of the State.)*	BY

INSTRUCTIONS

1. One copy of all regulations for adoption, amendment or repeal, except emergency regulations, must be presented to the Attorney General for his determination of legal sufficiency. Section 4-169 of the General Statutes.

2. Seventeen copies of all regulations for adoption, amendment or repeal, except emergency regulations, must be presented to the standing Legislative Regulation Review Committee for its approval. Section 4-170 of the General Statues

3. Each Regulation must be in the form intended for publication and must include the appropriate regulation section number and section heading. Section 4-172 of the General Statutes.

4. Indicate by "(NEW)" in heading if new regulation. Amended regulations must contain new language underlined or in capital letters and deleted language in brackets. Section 4-179 of the General Statutes.

Regulations
of

Environmental Protection

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CONCERNING

Metal cleaning, Consumer Products and
Architectural & Industrial Maintenance Coatings

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Received and filed in the Office of the
Secretary of the State

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Approved by the Attorney General

.....

Approved by the Legislative Regulation
Review Committee or General Assembly

.....

Published in Connecticut Law Journal

Office of Secretary of the State
State of Connecticut
P.O. Box 150470, Hartford, CT 06115-0470

RECEIVED

AUG 0 1 2007

DEPT. OF ENVIRONMENTAL PROTECTION
OFFICE OF THE COMMISSIONER

Susan Bysiewicz
Secretary of the State

Lesley D. Mara
Deputy Secretary of the State

July 26, 2007

Hon. Gina McCarthy, Commissioner
Department of Environmental Protection
79 Elm Street
Hartford, CT 06105

Re: Agency Regulation Concerning:

Abatement of Air Pollution: Amendment of Section 22a-174-20(l), Metal Cleaning; Adoption of Sections 22a-174-40 and 22a-174-41 pertaining to Consumer Products and Architectural and Industrial Maintenance Products

Regulation Review Committee Docket Number: 2006-064b
Secretary of the State File Number: 5792

Dear Commissioner McCarthy:

This is to acknowledge receipt of two certified copies of the above referenced regulation issued by the Department of Environmental Protection.

We request that you please forward the original or a copy of this acknowledgement letter to your agency's Legal Services Department for its files.

Said regulation was received and filed in this office on July 26, 2007. The effective date of this regulation is July 26, 2007.

One of the two copies has been forwarded to the Commission on Official Legal Publications as required by law.

Sincerely,

Barbara Sladek
RLS Assistant Coordinator
860-509-6147