

August 4, 2010

COMPLIANCE ADVISORY

NOTICE OF ADOPTION OF NEW RULE 66.1 – MISCELLANEOUS SURFACE COATING OPERATIONS AND OTHER PROCESSES EMITTING VOLATILE ORGANIC COMPOUNDS, AND REPEAL OF EXISTING RULE 66 – ORGANIC SOLVENTS

On February 24, 2010, the San Diego County Air Pollution Control Board adopted new Rule 66.1 – Miscellaneous Surface Coating Operations and Other Processes Emitting Volatile Organic Compounds.

San Diego County does not currently meet the National and State Ambient Air Quality Standards for ozone and therefore is classified as an ozone nonattainment area. Both federal and State laws require the Air Pollution Control District (District) to implement rules that regulate emissions of ozone precursors - volatile organic compounds (VOC) and oxides of nitrogen. New Rule 66.1 satisfies federal and State requirements to reduce VOC emissions. The rule controls VOC emissions from sources not subject to other District prohibitive rules. It will replace outdated Rule 66.

Rule 66.1 requires any operation or process that emits 5 tons of VOC per year or more be controlled by air pollution control equipment. Alternatively, a facility conducting coating operations can comply with the rule by using coatings with a VOC content not higher than 420 grams/liter for air-dried coatings or 360 grams/liter for baked coatings. Rule 66.1 also includes the most recent VOC definition and establishes labeling and recordkeeping requirements for manufacturers and suppliers of VOC-containing materials that will help affected facilities to comply with the rule.

In addition, new Rule 66.1 establishes new emission limits for cleaning materials used in surface preparation, wipe cleaning, and cleaning of coating application equipment. The rule requires the use of surface cleaning materials with a VOC content not exceeding 50 grams per liter or having a total VOC vapor pressure (a measure of the VOC evaporation rate) not higher than 8 mm mercury (Hg) at 20°C (68°F). Cleaning of coating application equipment must be conducted according to the conditions outlined in the rule. All facilities must keep usage records or other specified parameters of VOC-containing materials to demonstrate compliance with the rule.

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New Rule 66.1 exempts research and development operations, testing for quality control or quality assurance purposes, touch-up operations and the stripping of cured inks, coatings, and adhesives. In addition, some specialized processes are allowed exemptions from the VOC content limits for cleaning materials and surface coating operations provided that the use of such non-compliant materials is limited to the small amounts specified in the rule.

New facilities for which a complete application for Authority to Construct was submitted on or after February 24, 2010, are subject to Rule 66.1 requirements immediately.

Existing facilities have 12 months, i.e., until February 24, 2011, to comply with the new rule, allowing time for any adjustments of their processes and to deplete existing inventories of non-compliant materials. Upon completion of the 12-month grace period for existing facilities, they will become subject to Rule 66.1 and Rule 66 will be automatically repealed.

A copy of Rule 66.1 is available by contacting the District at (858) 586-2712 or on the District's website at http://www.sdapcd.org/rules/reg_4.html. For more information, please contact the District's Compliance Division at (858) 586-2650.

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