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Category: 45 – Criteria for Plan Revisions for Nonattainment Areas

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
Office of Air Quality Planning and Standards
Research Triangle Park, North Carolina 27711

DATE: SEP 19 1979

SUBJECT: Summary of State Implementation Plan VOC Regulations

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TO: G. T. Helms, Chief
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The Clean Air Act of 1977 required States to revise their State Implementation Plans for all areas that had not attained national ambient air quality standards. The January 1, 1979 plan submission for ozone nonattainment areas was to include, as a minimum, legally enforceable regulations to reflect the application of reasonably available control technology (RACT) to those stationary sources for which EPA had published a control technique guideline (CTG) document prior to January 1978.

This memorandum presents a summary of the status of State Implementation Plan (SIP) volatile organic compounds (VOCs) regulations based on best information available as of September 1, 1979.

Tables are included that present Regional summaries of:

- A. The total number of States that require VOC regulations (see Table I).
- B. States or possessions that do not require VOC regulations (see Table II).
- C. The geographic coverage of VOC regulations (see Table III).
- D. States that have not adopted final VOC regulations (see Table IV).
- E. A summary of Federal Register notices of proposed rule making for VOC regulations (see Table V).

Also included is a summary of key plans requiring a policy decision.

STATES THAT REQUIRE VOC REGULATIONS

A total of 41 States (including the District of Columbia as a State) were required to submit VOC regulations. Included are 36 States with 104 urbanized ozone nonattainment areas. There are also 5 States with non-urbanized ozone nonattainment areas. Table I summarizes by Region the total number of urban areas, States with nonurban areas, and States requiring VOC regulations.

STATES THAT DO NOT REQUIRE VOC REGULATIONS

As shown in Table II, ten (10) States and five (5) U.S. possessions have demonstrated attainment with the ozone national ambient air quality standard and, hence, do not need to promulgate volatile organic compound (VOC) regulations.

GEOGRAPHIC COVERAGE OF VOC REGULATIONS

Agency guidance covering the 1979 State Implementation Plan (SIP) revisions for ozone nonattainment areas required, in part, that urban nonattainment areas requiring an extension until 1987 must cover all source sizes. Urban and rural nonattainment areas not needing the extension could have a cutoff source size of 100 tons/year if they can demonstrate attainment by 1982.

Table III presents by Region the geographic coverage for each State requiring VOC regulations. The table differentiates between 100 tons/year or greater sources and less than 100 tons/year sources and indicates whether regulations are applicable Statewide or only nonattainment areas. Those States that have requested extensions are also noted.

STATES THAT HAVE NOT ADOPTED FINAL VOC REGULATIONS

As of September 1, 1979, eight (8) States listed in Table IV have not submitted final VOC regulations to EPA and five (5) had several VOC regulations missing. West Virginia and Illinois have submitted draft VOC regulations, but required State governmental action has delayed the submittal of final VOC regulations. Minnesota, Ohio, Indiana, Kansas and Utah have yet to finalize their regulatory packages. California has a complicated rule making process requiring adoption by air pollution control districts before submittal to the State. Iowa has chosen not to adopt VOC regulation for Cedar Rapids (rural nonattainment area) and Massachusetts has chosen not to adopt VOC regulations for fabric and paper. Rhode Island has not adopted final regulations for the paper and fabric industries. Colorado and Oklahoma are missing several VOC regulations. However, Oklahoma claims to not have any VOC sources in these categories.

SUMMARY OF FEDERAL REGISTER NOTICES OF PROPOSED RULEMAKING FOR VOC REGULATIONS

Table V presents a summary of information related to VOC regulations included in Federal Register notices of proposed rule making. The table presents, by Region for each State, the date of proposed rule making or notes that no proposal has been published. Also included is the recommended action proposed by the Regional Administrator. In those cases where no proposal has been published, checks were made with Regional personnel to determine what the anticipated recommended action will be.

Each of the available Federal Register notices were reviewed and pertinent information related to missing VOC regulations, exemptions, deficiencies and required action by States summarized in the column titled "Comments" in the table.

In those instances where no Federal Register notices of proposed rule making were available, information related to issues or VOC regulations was included based on CPOB contact with the Regional Offices or information developed during review of draft regulations.

An analysis of Table V shows that 41 States must have VOC regulations proposed in the Federal Register. As of September 1, 1979, only 25 have Federal Register proposals.

The status of VOC regulations, as indicated in Table V, is summarized as follows:

Status of VOC regulations	Number of States requiring Federal Register proposals	Number of States with Federal Register proposals
Approvable	5	3
Conditionally approvable	19	12
Noncommittal	9	9
Not yet decided	7	-----
Disapproved	1	1
Total	41	25

KEY PLANS REQUIRING A POLICY DECISION

Massachusetts - Plan is deficient for the major VOC sources in the State; Massachusetts' agency fully understood SIP requirements but chose to not adopt regulations. State proposes to monitor industry study and adopt RACT rules based on this study in a year.

Rhode Island - No final regulations for fabric and paper. Very lax surface coating limitations proposed for these categories. CTG emission limits proposed for 1985. Massachusetts action will influence EPA action on Rhode Island.

Virginia - Major deficiencies in submittal. State committed to correcting virtually all points of deficiency. Some indication that State may renege on this commitment.

Indiana - No final plan. Major deficiency is that State will not adopt RACT for several nonattainment areas. Claims that Federal motor vehicle program is adequate to attain standards. Plan will not be submitted until November.

Oklahoma - State adopted very lax surface coating regulations for general coating categories (not industries). These values do not represent RACT. State claims to have no CTG sources in the nonattainment area. Region recommends conditional approval.

Iowa - State has chosen not to adopt RACT for sources in Cedar Rapids (a rural nonattainment area). Region proposing to conditionally approve even though State will not commit to adopt RACT regulations.

Colorado - State adopted Rule 66 type regulation. A few CTG category sources are not covered by RACT. State has committed to correct deficiency. Region recommends conditional approval.

Utah - State has not adopted RACT regulations for Salt Lake City. A few sources exist in this area. Region recommends disapproval.

California - State is submitting regulations piecemeal for each district. Several districts will not have fully adopted CTG category regulations. Region will recommend disapproval for some of these districts.

Attachments

Attachment

TABLE I
A Regional Summary of Urban Areas and States
Requiring VOC Regulations

Region	Number of Urban Areas	Number of States with Rural (Nonurban) areas only	Total Number States Requiring VOC Regulations
Region I	8	3	6
Region II	8	0	2
Region III	14	1	6
Region IV	20	0	7
Region V	24	0	6
Region VI	12	0	4
Region VII	3	1	3
Region VIII	2	0	2
Region IX	10	0	3
Region X	3	0	2
Total	104	5	41*

* Includes District of Columbia as a State.

TABLE II
States or Possessions not Requiring VOC Regulations

Region I	----
Region II	Virgin Islands, Puerto Rico
Region III	----
Region IV	Mississippi
Region V	----
Region VI	New Mexico
Region VII	Nebraska
Region VIII	Montana, North Dakota, South Dakota, Wyoming
Region IX	Hawaii, Guam, American Samoa, Northern Mariana Islands
Region X	Idaho, Alaska

TABLE III
Geographic Coverage of VOC regulations

Region/State	100 tons/year or greater sources	<100 tons/year small sources
Region I		
*CT	Statewide	Statewide
ME	N/A area	None
*MA	Statewide	Statewide (surface coating exempted)
NH	N/A area	None
*RI	Statewide	Statewide (surface coating exempted)
VT	N/A area	None
Region II		
*NJ	Statewide	Statewide
*NY	N/A area	Metro New York City
Region III		
*DE	N/A area	N/A area
*DC	District wide	District wide
*MD	N/A area	N/A area
*PA	Statewide	Statewide
*VA	N/A area	Norfolk, DC, Hampton
(*WV)	No submittal	No submittal
Region IV		
AL	N/A area	None
GA	Statewide	None
*KY	Statewide	Metro Cincinnati, Louisville
NC	N/A area	None
*TN	Statewide	Nashville
FL	N/A area	None
SC	Statewide	None
Region V		
(*IL)	Statewide	Chicago, Metro St. Louis
(*IN)	No submittal	No submittal
*MI	Statewide	Metro Detroit
*MN	N/A area	Minneapolis
(*OH)	No submittal	No submittal
*WI	Statewide	Milwaukee

* States requesting extensions.
() Regulations not yet final.

TABLE III (continued)
Geographic Coverage of VOC regulations

Region/State	100 tons/year or greater sources	<100 tons/year small sources
Region VI		
AR	N/A area	None
LA	N/A area	Baton Rouge, N. O.
OK	N/A area	None
*TX	N/A area	Houston
Region VII		
IA	No submittal	No submittal
*MO	N/A area	St. Louis
(KS)	No submittal	No submittal
Region VIII		
*CO	Statewide	Statewide
(*UT)	No submittal	No submittal
Region IX		
*AZ	N/A area	None
NV	N/A area	None
(*CA)	No submittal	No submittal
Region X		
*OR	N/A area	Portland
*WA	N/A area	Seattle, Metro Portland

* States requesting extensions.
()Regulations not yet final.

TABLE IV
States that have not adopted final VOC regulations

Region	States that have not finally adopted VOC regulations	States missing several VOC regulations
Region I		Rhode Island Massachusetts
Region II		
Region III	West Virginia	
Region IV		
Region V	Illinois, Indiana Ohio, Minnesota	
Region VI		Oklahoma
Region VII	Kansas	Iowa
Region VIII	Utah	Colorado
Region IX	California	
Region X		

TABLE V
Summary of Federal Register Notices of
Proposed Rulemaking for VOC Regulations

	Date of Proposed Rulemaking	Recommended Action	Comments
Region I			
CT	No proposal	?	1. Cutback asphalt regulation missing 2. Degreasing emission limits
ME	8/1/79	Approval	No major issue
MA	No proposal	?	1. Paper, fabric, and coil coating regulations missing 2. Cutback asphalt regulations missing 3. All surface coating 100 tons/year exempted
NH	No proposal	Approval?	No major issues
RI	No proposal	?	1. Paper and fabric emission limits and compliance dates 2. All surface coating <100 tons/year sources exempted
VT	7/9/79	Conditional approval	Submission of revised terminal regulation by November 1, 1979
Region II			
NJ	8/8/79	Conditional approval	Correct VOC definition
NY (upstate only)	7/30/79	Conditional approval	1. Cutback asphalt definition 2. Fixed roof tank exemption Hearing by 1/1/80 Adopt & submit by 4/1/80 New York City regulations final. Federal Register action held up pending I/M action.
PR	N/A	N/A	No VOC regulations required
VI	N/A	N/A	No VOC regulations required

NOTE: N/A means not applicable.

TABLE V (continued)
 Summary of Federal Register Notices of
 Proposed Rulemaking for VOC Regulations

	Date of Proposed Rulemaking	Recommended Action	Comments
Region III			
DE	7/25/79	Noncommittal	Surface coating exemption <40 lbs/day
DC	6/20/79	Noncommittal	No major issues
MD	8/1/79	Noncommittal	1. Cutback asphalt exemption 2. Terminal size exemption 3. Storage tank exemption
PA	7/24/79	Noncommittal	Cutback asphalt definition
VA	7/30/79	Noncommittal	1. Auto emission limits 2. Can emission limits 3. Bulk plant emission limits 4. Stage I exemptions 5. General exemption <40 lbs/day 6. Cutback asphalt exemption definition State has indicated that it will correct the majority of these deficiencies
WV	7/24/79	Noncommittal	No formerly adopted regulations
Region IV			
AL	7/19/79	Conditional Approval	1. Bubble concept Plant-wide weekly weighted average 2. Fixed-roof tank exemption
FL	7/16/79	Conditional Approval	1. Bulk gasoline terminal Spillage of gas on disconnect 2. Fixed-roof tank exemptions 3. Cutback asphalt exemptions 4. No test methods EPA will disapprove plan revisions if State does not correct deficiencies by 12/15/79.

TABLE V (continued)
 Summary of Federal Register Notices of
 Proposed Rulemaking for VOC Regulations

	Date of Proposed Rulemaking	Recommended Action	Comments
Region IV (cont'd)			
GA	5/9/79	Approved	
KY	No proposal	Conditional Approval	1. Wastewater separator exemptions 2. Cutback asphalt definition
NC	No proposal	Conditional Approval	1. Record keeping exemption 2. Cutback asphalt exemption
MS	N/A	N/A	No VOC regulations required
SC	7/13/79	Conditional Approval	1. Fixed-roof tank exemption 2. VOC definition
TN	No proposal	Conditional Approval	1. Stage I exemption 2. Fixed-roof tank exemption/
Region V			
IN	No proposal	?	Draft has several major deficiencies
MI	8/13/79	Conditional Approval	1. Stage I exemption 2. Surface coating (vinyl) emission limit 3. Cutback asphalt exemption
MN	No proposal	Conditional Approval	1. Stage I exemption 2. Fixed-roof tank exemption
IL	7/2/79	Conditional Approval	Degreasing exemption
OH	No proposal	Conditional Approval	Stage I exemption
WI	7/10/79	Approval	No major issues

TABLE V (continued)
 Summary of Federal Register Notices of
 Proposed Rulemaking for VOC Regulations

	Date of Proposed Rulemaking	Recommended Action	Comments
Region VI			
AR	7/31/79	Noncommittal	1. VOC definition 2. Missing regulations surface coating, petroleum refinery, and degreasing 3. Test methods missing
LA	7/31/79	Conditional Approval	1. Bubble concept vague 2. Degreasing exemption 3. Regulations for storage tanks must be submitted to EPA by State no later than 8/30/79
NM	N/A	N/A	No VOC regulations required
OK	7/31/79	Conditional Approval	1. Missing surface coating regulations 2. Definition of VOC 3. Fixed-roof tank exemptions 4. Wastewater separator exemptions 5. Vacuum system requirement deficient 6. Degreaser control. State has 150 days from 7/31/79 to revise regulations
TX	8/1/79	Conditional approval	1. Fixed-roof tank exemption 2. Stage I deficiency 3. Wastewater separator exemption 4. Vacuum system exemption 5. Cutback asphalt deficient 6. Degreasing exemptions 7. Can coating emission limit 8. Test methods missing

TABLE V (continued)
 Summary of Federal Register Notices of
 Proposed Rulemaking for VOC Regulations

	Date of Proposed Rulemaking	Recommended Action	Comments
Region VII			
IA	9/7/79	Conditional Approval	No draft regulations
KS	No proposal	?	No SIP submittal
MO	No proposal	Approval ?	No major issues
NE	N/A	N/A	No VOC regulations required
Region VIII			
MT	N/A	N/A	No VOC regulations required
ND	N/A	N/A	No VOC regulations required
SD	N/A	N/A	No VOC regulations required
WY	N/A	N/A	No VOC regulations required
UT	5/16/79	Disapproval	Missing all VOC regulations
CO	5/11/79	Noncommittal	1. Definition of VOC deficient 2. Petroleum refinery barometric condenser exemption 3. Surface coating regulations missing 4. Cutback asphalt deficiency 5. Degreasing exemption
Region IX			
CA	No proposal	?	Submittal being done piecemeal
AZ	6/11/79	Noncommittal	Need for extension being reconsidered
—	N/A	N/A	No VOC regulations required
—	N/A	N/A	No VOC regulations required
NMI	N/A	N/A	No VOC regulations required

TABLE V (continued)
 Summary of Federal Register Notices of
 Proposed Rulemaking for VOC Regulations

	Date of Proposed Rulemaking	Recommended Action	Comments
Region X			
AK	N/A	N/A	No VOC regulations required
ID	N/A	N/A	No VOC regulations required
WA	No proposal	Conditional Approval	<ol style="list-style-type: none"> 1. Definition 2. Wastewater separator exemption 3. Surface coating exemption (100 tons/year) 4. Stage I exemption 5. No test methods 6. Degreaser exemption 7. Cutback asphalt exemption
OR	No proposal	Conditional Approval	<ol style="list-style-type: none"> 1. Cutback asphalt exemption 2. Surface coating exemption 3. Paper coating (inert gas process) emission limitation

*Federal Register follows
 Tuesday, August 23, 1970.
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