

Title 26
DEPARTMENT OF THE ENVIRONMENT

Subtitle 11 AIR QUALITY

Chapter 06 General Emission Standards, Prohibitions, and Restrictions

.06 Volatile Organic Compounds.

A. Applicability.

(1) The provisions of this regulation do not apply to the following:

(a) Tar heaters;

(b) Coke ovens;

(c) Operations subject to the provisions of COMAR 26.11.08, 26.11.09, 26.11.11, 26.11.13, and 26.11.19.02G;

(d) Installations or sources that are subject to COMAR 26.11.19, beginning with Regulation .03; and

(e) Installations subject to an emissions limitation which specifies the lowest achievable emission rate for VOC under COMAR 26.11.17.03B(2).

(2) The requirements of Sec. B of this regulation apply to any person that discharges or causes to be discharged VOC with a vapor pressure greater than 0.002 pounds per square inch (0.013 kilonewton/square meter) absolute.

B. Control of VOC from Installations.

(1) The following requirements apply in Baltimore City and Anne Arundel, Baltimore, Carroll, Harford, Howard, Montgomery, and Prince George's counties:

(a) Installations Constructed Before May 12, 1972. A person may not cause or permit the discharge of VOC from any installation constructed before May 12, 1972 in excess of 200 pounds (90.7 kilograms) per day unless the discharge is reduced by 85 percent or more overall.

(b) Installations Constructed On or After May 12, 1972. Except as provided in Sec. E of this regulation, a person may not cause or permit the discharge of VOC from any installation constructed on or after May 12, 1972, in excess of 20 pounds (9.07 kilograms) per day unless the discharge is reduced by 85 percent or more overall.

(2) The following requirements apply in Calvert, Cecil, Charles, and Frederick counties:

(a) Installations Constructed Before November 15, 1992. A person may not cause or permit the discharge of VOCs from any installation constructed before November 15, 1992 in excess of 200 pounds (90.7 kilograms) per day unless the discharge is reduced by 85 percent or more overall.

(b) A person who owns or operates an existing installation that is not in compliance with Sec. B(2)(a) of this regulation shall submit a plan for compliance for approval by the Department. The plan for compliance shall be submitted not later than April 15, 1993 and include an expeditious schedule of compliance so that compliance is achieved not later than May 15, 1995.

(c) Installations Constructed On or After November 15, 1992. Except as provided in Sec. E of this regulation, a person may not cause or permit the discharge of VOC from any installation constructed on or after November 15, 1992 in excess of 20 pounds (9.07 kilograms) per day unless the discharge is reduced by 85 percent or more overall.

(3) Compliance with Sec. B(1) and (2) of this regulation may be achieved by the following:

(a) Use of an air pollution control system that is demonstrated to achieve 85 percent overall control, using approved test methods as referenced in COMAR 26.11.19;

(b) Use of waterborne materials that have a total VOC content of less than 25 percent by volume as applied; or

(c) Other operating or production limitations or process modifications that maintain emissions below the applicable limits established in Sec. B(1) and (2) of this regulation.

C. VOC-Water Separators. A person may not cause or permit the discharge of VOC from single or multiple compartment VOC-water separators that receive effluent water containing 200 gallons (757 liters) of VOC or more per day with a true vapor pressure of 1.5 psi (10 kilonewtons/square meter) or greater unless one or more of the following vapor control devices are properly installed and operated:

(1) A floating roof resting on the surface of the liquid equipped with a closure seal, or seals, to close the space between the roof edge and tank wall. All tank gauging and sampling devices shall be gas tight except when in use.

(2) A vapor recovery system capable of collecting the VOC emitted from the tank and disposing of the VOC so as to prevent discharge to the atmosphere. All tank gauging and sampling devices shall be gas tight except when in use.

(3) Other equally effective devices as approved by the Department.

D. VOC Disposal.

(1) Applicability and Exemptions.

(a) This section applies to any person that disposes of or treats waste containing VOC in the outside atmosphere in a manner that may cause evaporation of greater than 20 pounds per day.

(b) This section does not apply to:

(i) The operation of a municipal waste water treatment plant; and

(ii) The disposal of waste in a landfill in accordance with the requirements established by the Waste Management Administration.

(2) General Requirements. A person may not treat or dispose of waste containing VOC in a manner that results in evaporation of greater than 20 pounds per day VOC to the atmosphere.

E. Exceptions.

(1) A person who proposes to construct an installation that is not subject to New Source requirements in COMAR 26.11.17 and who is unable to comply with the requirements of Sec. B(2) of this regulation, may request an exception from the Department.

(2) A person may request an exception under this section by submitting an application to the Department in writing. A completed application for an exception shall include the following:

(a) A detailed description of the proposed installation and any associated air pollution control devices;

(b) A description of the intended use of the installation, its maximum rated capacity, and the capacity for which a permit is requested, if different from the maximum rated capacity;

(c) A description of VOC emission points and an estimate of the VOC emissions from each emission point, along with calculations and supporting data;

(d) A description of the air pollution control methods or equipment that may be available to achieve compliance with Sec. B(2) of this regulation, the cost of the equipment or control methods, and information showing why the control methods are not reasonable for this installation;

(e) A description of the operating procedures, production rate controls, or other methods that shall be used to meet an alternative VOC emission standard if an exception is

granted; and

(f) Other information that is requested by the Department and that relates to the Department's determination to grant or deny an exception to the requirements of Sec. B(2) of this regulation.

(3) The Department may grant an exception to Sec. B(2) of this regulation if it determines that:

(a) Control methods, if any, necessary to meet the requirements of Sec. B(2) are not reasonable for the installation;

(b) The applicant has the ability to operate and maintain the equipment and has the production controls necessary to meet the alternative VOC emission standard established by the Department instead of the requirements of Sec. B(2); and

(c) Emissions from the installation will not interfere with reasonable further progress as defined in Regulation .11A(2) of this regulation if the exception is granted.

(4) Procedures to be Used to Process an Application for an Exception and to Establish an Alternative Emission Standard.

(a) The Department will acknowledge receipt of an application for an exception within 10 working days after receiving the application.

(b) Not later than 90 days after receiving a completed application for an exception, the Department will complete its review and either:

(i) Deny the request for an exception because it does not meet the requirements of Sec. E(3), above; or

(ii) Make a determination to proceed with the exception and establish an alternative VOC emission standard in accordance with the procedures in Sec. E(4)(c)--(h), below.

(c) A determination to proceed with the exception will be proposed as a Departmental Order and permit to construct setting forth the alternative VOC emission standard, including any conditions determined by the Department to be necessary.

(d) An applicant who is aggrieved by the Department's determination may request a contested case hearing before the Department. Any hearing under this paragraph will be held in accordance with the State Administrative Procedure Act.

(e) If the applicant does not request reconsideration of the Department's determination to proceed with an exception, the Department will schedule a public hearing on the exception. The applicant shall publish a prominent advertisement in at least one newspaper

of general circulation in the area concerned notifying the public of the hearing. The notice shall be made at the applicant's expense and in a form stipulated by the Department.

(f) The notice shall be placed not later than 10 days after the Department makes its determination to proceed with the exception and at least 30 days before the scheduled hearing.

(g) The hearing required by Sec. E(4)(e), above, satisfies the requirement for an opportunity for public comment or hearing on the permit to construct application under COMAR 26.11.02.09--.14.

(h) If no information is presented at the hearing that would affect the issuance of the exception, and if the Department has no other basis for denying the exception, the Order and the permit will be issued not later than 10 days after the conclusion of the hearing.

(5) The Department shall submit an exception to the U.S. Environmental Protection Agency for approval as a revision to the State Implementation Plan.