

Coatings MSS - Frequently Asked Questions As of October 12, 2012

- 1. If all of the facilities at a site are currently authorized via PBRs, does the company need to do anything such as submit an application to authorize MSS activities for these facilities? Or is it safe to maintain internal documentation of these activities?**

Since all of the facilities are authorized via PBR, no documentation (*e.g.*, letter, application) will be required to be submitted to the TCEQ to state that fact; however, the company will need to be able to answer accurately how all of their MSS activities are authorized if they are inspected.

In certain circumstances, especially if the previous PBR registration was certified, additional MSS claims must also be certified. These do not necessarily need to be registered with a PI-7 or PI-7-CERT, but an APD-CERT should be filed with the TCEQ. If the company is not confident about whether the MSS for their facilities qualifies for a PBR, they can register (PI-7, fee, supporting documentation) and get a confirmation from APD indicating that MSS activities are authorized.

Many facilities authorized via PBR are able to authorize their MSS activities for these facilities under 30 TAC §106.263(c); however, there are exceptions to this which are listed in 30 TAC §106.263(b). For the facilities listed in §106.263(b) (*e.g.*, paint booths authorized under §106.433), we consider all MSS activities for those facilities to be already authorized under those specific PBRs. For example, PM emissions associated with a filter change out in a paint booth authorized under §106.433, this activity is also already authorized under §106.433.

Please note that if a company is comfortable with our rules and understands all of the requirements, including record keeping, they do not need to submit any documentation or MSS application to the TCEQ to authorize those activities.

- 2. If a company currently operating under PBRs wants to, can they submit something representing MSS activities to the TCEQ and get something back to acknowledge the authorization of the operations?**

Yes. APD will provide a response to acknowledge the authorization will be provided to the company. However, please note that if a company is comfortable with our rules and understands all of the requirements, including record keeping, they do not need to submit any documentation or MSS application to the TCEQ to authorize those activities.

3. Are maintenance activities covered by PBRs federally enforceable? Does an application need to be submitted to the TCEQ by January 5, 2013 to establish federally enforceable limits for the PBRs in question?

All PBRs are federally enforceable. The federally enforceable emission limits are the lesser of the limits in the appropriate PBR (if any). If there are no limits specified in the PBR, then the limits are specified in 30 TAC §106.4. However, if a company wants to establish a lower potential to emit (PTE) for the process (or site), then they would need to submit a PI-7CERT or APD CERT to the TCEQ for approval. An application for these activities only needs to be submitted to the TCEQ prior to January 5, 2013 if the company wants a federally enforceable limit (for VOCs, PM, PM₁₀, PM_{2.5}, HAPs etc.) that is lower than what is stated in the PBR or what is stated in 30 TAC §106.4.

4. Are planned MSS emissions authorized by one or more PBRs to be included in the major source determination for a site?

Yes. The planned MSS activities count the same as the process emissions already authorized. If the site wide total PTE is very close to the major source definition the inclusion of planned MSS activities may be sufficient to result in a site PTE that is over the major source threshold and additional requirements such as Title V may now apply. The site may wish to make changes to the other authorizations at the site to reduce emissions such that the site can retain minor source status.

5. Is the 2006 memo regarding MSS emissions in PBRs still valid?

No. The only PBRs which include planned MSS are those listed in §106.263. The 2006 memo was based on a proposed rule change which was not adopted by the Commission.

6. Will applications for PBRs to authorize Coatings MSS activities be reviewed and approved by the Rules Registration (R&R) Section?

That is unclear at this time. Currently workloads for all sections are extremely high and we are anticipating a large number of applications. This will be determined internally.

7. Are emissions from filter change outs (e.g., baghouse, paint booth filter) already accounted for in the case-by-case (i.e., NSR) permit? In addition, is this MSS activity already authorized in the NSR permit?

With regards to the emissions already being accounted for in the NSR permit, the answer is "Yes." The emissions for this activity are considered to be so small (if there are any at all) that we considered them to be already included in the current short-term and annual PM emission rates given the conservatism of the calculations for the facility associated with the filters. As for the activity, the answer is "Maybe." If an NSR permit contains a special condition (or conditions) which addresses the handling of filters such as shown below then the activity is authorized.

- A. "All filters used for the control of PM shall be removed and disposed of in such a manner that prevents trapped PM from escaping into the atmosphere."
(or similar language)
- B. "The filters shall be replaced whenever the pressure differential exceeds the limits recommended by the filter manufacturer." (or similar language)

However, if there is no such language provided in the NSR permit, then the activity is not currently authorized and an appropriate authorization mechanism must be sought.

8. Do representations of MSS activities in a permit application count as an authorization for those activities?

Yes those activities are technically authorized; however, to clarify those activities in the permit, the company should do one of the following:

- A. submits an alteration to the TCEQ so that the special conditions and MAERT may be revised to clearly bring the representations for those activities into the permit;
- B. reauthorize those activities under 30 TAC §106.263(c)(1); or
- C. reauthorize those activities under De Minimis per 30 TAC §116.119 if appropriate.

9. What activities need to be considered for degassing a storage tank as part of inspection and maintenance?

After the liquid is drawn down as far as possible by normal operating procedures, the heel will need to be removed. The heel may be removed using a vacuum truck or other means. This process includes removing as much of the liquids and/or solids as practicable. After the heel is removed, the tank is ventilated (or degassed) to remove vapors from it to a level that will allow safe entry into the tank for inspection or repair. Depending on the vapor pressure and toxicity of the contents of the tank the vapors may need to be exhausted through a control device.

Depending on the location of the storage tank, there may be specific requirements in 30 TAC Chapter 115, Subchapter F, Division 3. Cleaning and degassing are defined in 30 TAC 115.540(b).

10. Why is replacing a paint/spray booth filter considered an MSS activity while the cleanup of the spray application equipment is not?

Replacing paint/spray booth filters is typically not performed on a daily basis while the cleanup of spray application equipment (e.g., line flushing, spray gun flushing) is performed everyday and sometimes multiple times per day depending on the number of surface coatings used in a day. Given the frequency of spray gun cleaning and the magnitude of the emissions the activity has always been considered as an integral part of the surface coating process and not an MSS activity.

11. If a tank is authorized via a PBR (e.g., 30 TAC §106.472), how are the emissions from tank cleaning authorized?

There are two ways the emissions from tank cleaning for a source authorized under a PBR may be authorized.

- A. A Form PI-7 or PI-7 CERT with emission calculations for both normal operations and each planned MSS activity could be submitted.
- B. This MSS activity can be authorized under 30 TAC §106.263(c)(1) unless it is a tank that is authorized under a PBR listed in 30 TAC §106.263(b). For the facilities listed in §106.263(b), we consider all MSS activities for those facilities to be already authorized under those specific PBRs.

12. If a paint booth is authorized via PBR 30 TAC §106.433, how can the emissions from cleaning the booth itself be authorized?

We consider all MSS activities for paint booths authorized under 30 TAC §106.433 to be already authorized under that PBR (*i.e.*, 30 TAC §106.433). This is further clarified in 30 TAC §106.263(b).

13. How can over spray cleanup in booth that is covered by a permit be authorized?

Over spray in booths is typically managed in one of three ways as follows:

- A. Removal of over spray through mechanical means such as scraping the dried over spray from the floors and other surfaces. This may already be authorized in the permit if the permit conditions include language such as, “when booth floors are scraped and cleaned, the overspray shall be properly stored and disposed of in such a manner that it shall not be allowed to escape into the atmosphere.” Otherwise the mechanical removal may be authorized under 30 TAC §106.263(c)(1).
- B. Removal of over spray through the use of solvents. If this was not represented in the permit application it may be authorized by a permit amendment or under 30 TAC §106.263(c)(1).
- C. Management of over spray through the use of strippable booth coatings. This method is not commonly represented in permit applications. It may be authorized by a permit amendment or under 30 TAC §106.263(c)(1).

14. Can the TCEQ add new activities (e.g., filter change outs) to De Minimis list?

At this time, there are no plans to add to the De Minimis list any new activities which could be considered to be MSS activities due to the time and effort needed to make these additions to the list.

15. Will an impacts analysis be required as part of authorizing planned MSS activities?

Yes. For all permit amendments an impacts will be required. Acceptable speciated impacts or demonstration of compliance with the NAAQS may be demonstrated through atmospheric dispersion modeling. Alternatively, acceptable impacts may be demonstrated through the use of the Modeling and Effects Review Applicability (MERA) flowchart. Step 9 specifically covers the impacts analysis for planned MSS activities.

16. Will a BACT review be required as part of authorizing planned MSS activities?

Yes. For all permit amendments a control technology review will be required. Frequently, BACT for planned MSS activities consists of work practices, limiting the number of times in a year or other period the activity may occur or limiting the number of hours of occurrence per year. The BACT Tables may be viewed at the following website:

www.tceq.texas.gov/permitting/air/nav/air_bact_coatsource.html

17. How will the special conditions of an existing NSR permit change as a result of authorizing MSS activities in the permit? Also, will the special conditions for new NSR permits include the authorization of MSS activities?

For existing permits, the language in some special conditions will be revised to more clearly reflect that certain MSS activities are authorized in the permit. For new permits, the language in specific special conditions will be worded to clearly reflect that certain MSS activities are authorized in the permit.

For existing permits and new permits, the footnotes on the MAERT may also be updated to clarify that the planned MSS emissions are already included in the short-term and annual emission rates for specific sources.

18. Do general facility MSS activities such as painting an on-site building (inside or outside), re-roofing an on-site building, re-asphalting (repaving) a parking lot, etc., need to be included in an MSS permit application?

No. General facility maintenance activities such as these may be authorized under 30 TAC §106.263(c)(3)(A), temporary maintenance facilities used for abrasive blasting, surface preparation, and surface coating on immovable fixed structures. A number of general facility maintenance operations such as janitorial and maid services, landscape maintenance and computer and office equipment repair may be authorized through a De Minimis claim under 30 TAC 116.119(A)(1).