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Final Regulation Agency Background Document

Agency name	State Air Pollution Control Board
Virginia Administrative Code (VAC) citation(s)	Primary: Articles 56 and 56.1 of 9VAC5-40 (Existing Stationary Sources) Secondary: Article 53 of 9VAC5-40 (Existing Stationary Sources)
Regulation title(s)	Regulations for the Control and Abatement of Air Pollution
Action title	VOC Emission Standards, Printing (Rev. C09)
Date this document prepared	May 29, 2015

This information is required for executive branch review and the Virginia Registrar of Regulations, pursuant to the Virginia Administrative Process Act (APA), Executive Orders 17 (2014) and 58 (1999), and the *Virginia Register Form, Style, and Procedure Manual*.

Brief summary

Please provide a brief summary of the proposed new regulation, proposed amendments to the existing regulation, or the regulation proposed to be repealed. Alert the reader to all substantive matters or changes. If applicable, generally describe the existing regulation.

The regulations require owners to limit emissions of air pollution from (1) offset lithographic printing operations, and (2) letterpress printing operations to the level necessary for the protection of public health and welfare, and the attainment and maintenance of the air quality standards. The regulations apply to sources within the Northern Virginia volatile organic compound (VOC) emissions control area, and establish standards, control techniques, and provisions for determining compliance. The regulations also include provisions for visible emissions, fugitive dust, odor, toxic pollutants, compliance, test methods and procedures, monitoring, notification, registration, malfunctions, and permits.

Based on comments received during the public comment period, a number of amendments were made to the proposal in order to make the regulations operate more efficiently. The conditions under which performance testing would be conducted were revised, default retention factors and capture efficiencies were added, terms were updated, an additional provision allowing an exemption of a certain amount of

cleaning materials was added, and corrections to definitions and standards were made to conform to the new control techniques guidelines.

Acronyms and definitions

Please define all acronyms used in the Agency Background Document. Also, please define any technical terms that are used in the document that are not also defined in the "Definition" section of the regulations.

- EPA or USEPA - U.S. Environmental Protection Agency
- NAAQS - national ambient air quality standards
- ppm - parts per million
- SIP - State Implementation Plan
- VOC - volatile organic compound
- TPTE – theoretical potential to emit
- RACT – Reasonably Available Control Technology
- PGAMA - Printing and Graphics Association Mid Atlantic
- TSD – Technical Support Document
- Title V – the Clean Air Act, Title V.

Statement of final agency action

Please provide a statement of the final action taken by the agency including: 1) the date the action was taken; 2) the name of the agency taking the action; and 3) the title of the regulation.

On June 19, 2015, the State Air Pollution Control Board took final action to adopt amendments to regulations entitled "Regulations for the Control and Abatement of Air Pollution," specifically, VOC Emission Standards, Printing (9VAC5 Chapter 40, Articles 53, 56 and 56.1). The regulatory action is to be effective as provided in the Administrative Process Act.

Legal basis

Please identify the state and/or federal legal authority to promulgate this proposed regulation, including: 1) the most relevant citations to the Code of Virginia or General Assembly chapter number(s), if applicable; and 2) promulgating entity, i.e., agency, board, or person. Your citation should include a specific provision authorizing the promulgating entity to regulate this specific subject or program, as well as a reference to the agency/board/person's overall regulatory authority.

Section 10.1-1308 of the Virginia Air Pollution Control Law (Title 10.1, Chapter 13 of the Code of Virginia) authorizes the State Air Pollution Control Board to promulgate regulations abating, controlling and prohibiting air pollution in order to protect public health and welfare. Written assurance from the Office of the Attorney General that the State Air Pollution Control Board possesses the statutory authority to promulgate the proposed regulation amendments is available upon request.

Promulgating Entity

The promulgating entity for this regulation is the State Air Pollution Control Board.

Specific Federal Requirements

Ground-level ozone is an air pollutant that forms when volatile organic compounds (VOCs) and nitrogen oxides (NOX) interact with sunlight. The national standard for ozone measured over an 8-hour period was promulgated by the U.S. Environmental Protection Agency (EPA) on July 18, 1997 (62 FR 38856) at a level of 0.08 parts per million (ppm).

Once EPA establishes a national standard for ozone, it must then designate areas that do not attain the standard (nonattainment areas). In turn, states must develop plans (state implementation plans, or SIPs), including regulations, which will enable nonattainment areas to attain and maintain the standard.

40 CFR Part 81 specifies the designations of areas made under § 107(d) of the federal Clean Air Act and the associated nonattainment classification under § 181 of the Act or 40 CFR 51.903(a). Virginia's designations are in 40 CFR 81.347. On April 30, 2004 (69 FR 23858), EPA published designations for 0.08 ppm 8-hour ozone nonattainment areas and associated classifications.

On April 30, 2004 (69 FR 23951), EPA promulgated phase 1 of a final rule adding Subpart X to 40 CFR Part 51. Subpart X contains the provisions for the implementation of the 8-hour ozone NAAQS, along with associated planning requirements. Specifically, 40 CFR 51.903(a) sets forth the classification criteria and nonattainment dates for 8-hour ozone nonattainment areas once they are designated as such under 40 CFR Part 81. The remainder of the planning requirements (phase 2) were published on November 29, 2005 (70 FR 71612).

In order to implement the control measures needed to attain and maintain ozone air quality standard, Virginia has established VOC and NOX emissions control areas. These areas were created to provide a legal mechanism for defining geographic areas in which to implement certain control measures in the nonattainment areas. The emissions control areas may or may not coincide with the nonattainment areas, depending on regional planning requirements.

Section 172(c)(1) of the Act provides that SIPs for nonattainment areas must include "reasonably available control measures" (RACM), including "reasonably available control techniques" (RACT), for sources of emissions. Section 182(b)(2) provides that for certain nonattainment areas, states must revise their SIPs to include RACT for sources of VOC emissions covered by a control techniques guidelines document (CTG) issued after November 15, 1990 and prior to the area's date of attainment.

Section 183(e) directs EPA to list for regulation those categories of products that account for at least 80 percent of the VOC emissions from commercial products in ozone nonattainment areas. EPA issued such a list on March 23, 1995, and has revised the list periodically. RACT controls for listed source categories controlled by a CTG are known as CTG RACTs. A CTG RACT has been issued for offset lithographic and letterpress printing operations (October 5, 2006, 71 FR 58745). Therefore, states with moderate ozone nonattainment areas must implement these CTG RACTs as part of their attainment SIPs.

General Federal Requirements

Sections 109 (a) and (b) of the federal Clean Air Act require EPA to prescribe primary and secondary air quality standards to protect public health and welfare. These standards are known as the National Ambient Air Quality Standards (NAAQS). Section 109 (c) requires EPA to prescribe such standards simultaneously with the issuance of new air quality criteria for any additional air pollutant. The primary and secondary air quality criteria are authorized for promulgation under § 108.

Once the NAAQS are promulgated pursuant to § 109, § 107(d) sets out a process for designating those areas that are in compliance with the standards (attainment or unclassifiable) and those that are not (nonattainment). Governors make the initial recommendations but EPA makes the final decision. Section 107(d) also sets forth the process for redesignations once the nonattainment areas are in compliance with the applicable NAAQS.

Section 110(a) of the Act mandates that each state adopt and submit to EPA a plan which provides for the implementation, maintenance, and enforcement of each primary and secondary air quality standard within each air quality control region in the state. The state implementation plan (SIP) must include provisions to accomplish, among other tasks, the following:

1. establish enforceable emission limitations and other control measures as necessary to comply with the Act;
2. establish schedules for compliance;
3. prohibit emissions which would contribute to nonattainment of the standards or interference with maintenance of the standards by any state; and
4. require sources of air pollution to install, maintain, and replace monitoring equipment as necessary and to report periodically on emissions-related data.

40 CFR Part 50 specifies the NAAQS for sulfur dioxide, particulate matter, carbon monoxide, ozone, nitrogen dioxide, and lead.

40 CFR Part 51 sets out requirements for the preparation, adoption, and submittal of SIPs. These requirements mandate that any such plan must include certain provisions, including those summarized below.

Subpart G (Control Strategy) specifies the description of control measures and schedules for implementation, the description of emissions reductions estimates sufficient to attain and maintain the standards, time periods for demonstrations of the control strategy's adequacy, an emissions inventory, an air quality data summary, data availability, special requirements for lead emissions, stack height provisions, and intermittent control systems.

Subpart K (Source Surveillance) specifies procedures for emissions reports and recordkeeping, procedures for testing, inspection, enforcement, and complaints, transportation control measures, and procedures for continuous emissions monitoring.

Subpart L (Legal Authority) specifies the requirements for legal authority to implement plans. Section 51.230 under Subpart L specifies that each SIP must show that the state has the legal authority to carry out the plan, including the authority to perform the following actions:

1. adopt emission standards and limitations and any other measures necessary for the attainment and maintenance of the national ambient air quality standards;
2. enforce applicable laws, regulations, and standards, and seek injunctive relief;
3. abate pollutant emissions on an emergency basis to prevent substantial endangerment to the health of persons;
4. prevent construction, modification, or operation of a facility, building, structure, or installation, or combination thereof, which directly or indirectly results or may result in emissions of any air pollutant at any location which will prevent the attainment or maintenance of a national standard;
5. obtain information necessary to determine whether air pollution sources comply with applicable laws, regulations, and standards, including authority to require recordkeeping and to make inspections and conduct tests of air pollution sources;

6. require owners or operators of stationary sources to install, maintain, and use emission monitoring devices and to make periodic reports to the state on the nature and amounts of emissions from such stationary sources; and

7. make emissions data available to the public as reported and as correlated with any applicable emission standards or limitations.

Section 51.231 under Subpart L requires the identification of legal authority: (i) the provisions of law or regulation which the state determines provide the authorities required under this section must be specifically identified, and copies of such laws or regulations must be submitted with the plan; and (ii) the plan must show that the legal authorities specified in this subpart are available to the state at the time of submission of the plan.

Subpart N (Compliance Schedules) specifies legally enforceable compliance schedules, final compliance schedule dates, and conditions for extensions beyond one year.

Part D describes how nonattainment areas are established, classified, and required to meet attainment. Subpart 1 provides the overall framework of what nonattainment plans are to contain, while Subpart 2 provides more detail on what is required of areas designated nonattainment for ozone.

Section 171 defines "reasonable further progress," "nonattainment area," "lowest achievable emission rate," and "modification."

Section 172(a) authorizes EPA to classify nonattainment areas for the purpose of assigning attainment dates. Section 172(b) authorizes EPA to establish schedules for the submission of plans designed to achieve attainment by the specified dates. Section 172(c) specifies the provisions to be included in each attainment plan, as follows:

1. implementation of all reasonably available control measures as expeditiously as practicable and provide for the attainment of the national ambient air quality standards;
2. reasonable further progress;
3. a comprehensive, accurate, current inventory of actual emissions from all sources of the relevant pollutants in the nonattainment area;
4. identification and quantification of allowable emissions from the construction and modification of new and modified major stationary sources in the nonattainment area;
5. a requirement for permits for the construction and operations of new and modified major stationary sources in the nonattainment area;
6. inclusion of enforceable emission limitations and such other control measures (including economic incentives such as fees, marketable permits, and auctions of emission rights) as well as schedules for compliance;
7. if applicable, the proposal of equivalent modeling, emission inventory, or planning procedures; and
8. inclusion of specific contingency measures to be undertaken if the nonattainment area fails to make reasonable further progress or to attain the national ambient air quality standards by the attainment date.

Section 172(d) requires that attainment plans be revised if EPA finds inadequacies. Section 172(e) authorizes the issuance of requirements for nonattainment areas in the event of a relaxation of any national ambient air quality standard. Such requirements must provide for controls which are not less stringent than the controls applicable to these same areas before such relaxation.

Section 107(d)(3)(D) provides that a state may petition EPA to redesignate a nonattainment area as attainment and EPA may approve the redesignation subject to certain criteria being met. Section 107(d)(3)(E) stipulates one of these criteria, that EPA must fully approve a maintenance plan that meets the requirements of § 175A. According to § 175A(a), the maintenance plan must be part of a SIP submission, and must provide for maintenance of the NAAQS for at least 10 years after the redesignation. The plan must contain any additional measures needed to ensure maintenance. Section 175A(b) further requires that 8 years after redesignation, a maintenance plan for the next 10 years must then be submitted. As stated in § 175A(c), nonattainment requirements continue to apply until the SIP submittal is approved. Finally, § 175A(d) requires that the maintenance plan contain contingency provisions which will be implemented should the area fail to maintain the NAAQS as provided for in the original plan.

Under Part D, Subpart 2, § 181 sets forth the classifications and nonattainment dates for 1-hour ozone nonattainment areas once they are designated as such under § 107(d).

Section 182(a)(2)(A) requires that the existing regulatory program requiring reasonably available control technology (RACT) for stationary sources of VOCs in marginal nonattainment areas be corrected by May 15, 1991, to meet the minimum requirements in existence prior to the enactment of the 1990 amendments. EPA has published control techniques guidelines (CTGs) for various types of sources, thereby defining the minimum acceptable control measure or RACT for a particular source type.

Section 182(b) requires stationary sources in moderate nonattainment areas to comply with the requirements for sources in marginal nonattainment areas. The additional, more comprehensive control measures in § 182(b)(2)(A) require that each category of VOC sources employ RACT if the source is covered by a CTG document issued between enactment of the 1990 amendments and the attainment date for the nonattainment area. Section 182(b)(2)(B) requires that existing stationary sources emitting VOCs for which a CTG existed prior to adoption of the 1990 amendments also employ RACT.

40 CFR Part 81 specifies the designations of areas made under § 107(d) of the Act and the associated nonattainment classification (if any) under § 181 of the Act or 40 CFR 51.903(a), as applicable. Subpart X to 40 CFR Part 51 contains the provisions for the implementation of the 8-hour ozone NAAQS, along with associated planning requirements. Specifically, 40 CFR 51.903(a) sets forth the classification criteria and nonattainment dates for 8-hour ozone nonattainment areas once they are designated.

State Requirements

These specific amendments are not required by state mandate. Rather, Virginia's Air Pollution Control Law gives the State Air Pollution Control Board the discretionary authority to promulgate regulations "abating, controlling and prohibiting air pollution throughout or in any part of the Commonwealth" (§ 10.1-1308 A). The law defines such air pollution as "the presence in the outdoor atmosphere of one or more substances which are or may be harmful or injurious to human health, welfare or safety, to animal or plant life, or to property, or which unreasonably interfere with the enjoyment by the people or life or property" (§ 10.1-1300).

Purpose

Please explain the need for the new or amended regulation. Describe the rationale or justification of the proposed regulatory action. Describe the specific reasons the regulation is essential to protect the health, safety or welfare of citizens. Discuss the goals of the proposal and the problems the proposal is intended to solve.

The purpose of the proposed action is to adopt new standards for the control of volatile organic compound (VOC) emissions from (1) offset lithographic printing operations and (2) letterpress printing operations within the Northern Virginia VOC Emissions Control Area. This action is being taken to allow Virginia to meet its obligation to implement control measures in areas designated as nonattainment under the 0.08 parts per million (ppm) 8-hour ozone standard. It will contribute to the reduction of ozone air pollution, and thereby improve public health and welfare.

Substance

Please briefly identify and explain the new substantive provisions, the substantive changes to existing sections, or both.

For existing Article 53 pertaining to earlier standards for lithographic operations in all VOC emissions control areas, applicability provisions for facilities located in the Northern Virginia VOC emissions control area are deleted. Provisions of Article 53 applicable to sources in the Northern Virginia VOC emissions control area are preserved in Article 56, most notably (i) offset lithographic printing process dryer control provisions for sources with a facility potential to emit between 10 tons of VOC per year and having individual presses with a theoretical potential to emit 25 tons of VOC per year, and (ii) limits on the VOC content of cleaning materials (30% instead of 70%).

For each new article (Articles 56 and 56.1):

1. An applicability section is established which specifies that facilities in the Northern Virginia VOC emissions control area are affected.
2. Definitions of terms used in the rule are provided.
3. A standard for VOC emissions is established, along with provisions for achieving the standard.
4. Compliance provisions are provided detailing how compliance is determined with the standards.
5. Test methods are provided by which compliance may be determined.
6. Monitoring provisions are provided to ensure that the owner is able to stay in compliance with the standards.
7. Standard provisions are provided for visible emissions; fugitive dust/emissions; odor; toxic pollutants; a compliance schedule; notification, records and reporting; registration; facility and control equipment maintenance or malfunction; and permits.

Issues

Please identify the issues associated with the proposed regulatory action, including: 1) the primary advantages and disadvantages to the public, such as individual private citizens or businesses, of implementing the new or amended provisions; 2) the primary advantages and disadvantages to the agency or the Commonwealth; and 3) other pertinent matters of interest to the regulated community, government officials, and the public. If there are no disadvantages to the public or the Commonwealth, please indicate.

1. Public: The primary advantage to the general public is the reduction of VOC air pollution, which has a negative effect on public health and welfare. Regulated sources may realize cost savings through more effective application procedures and practices. There are no disadvantages to the public.

2. Department: The primary advantages to the department are that the adoption of these regulations will allow Virginia to attain and maintain air quality standards and improve public health of Virginians. The primary disadvantage to the department is the potential for an increased compliance cost to administer the new regulations.

Requirements more restrictive than federal

Please identify and describe any requirement of the proposal which is more restrictive than applicable federal requirements. Include a rationale for the need for the more restrictive requirements. If there are no applicable federal requirements or no requirements that exceed applicable federal requirements, include a statement to that effect.

The proposed regulation amendments are not more restrictive than the applicable legal requirements.

Localities particularly affected

Please identify any locality particularly affected by the proposed regulation. Locality particularly affected means any locality which bears any identified disproportionate material impact which would not be experienced by other localities.

The localities particularly affected by this action are located in the Northern Virginia volatile organic compound (VOC) emissions control area: counties of Arlington, Fairfax, Loudoun, Prince William, Stafford; cities of Alexandria, Fairfax, Falls Church, Manassas, and Manassas Park.

Changes made since the proposed stage

*Please list all changes that made to the text of the proposed regulation and the rationale for the changes; explain the new requirements and what they mean rather than merely quoting the proposed text of the regulation. *Please put an asterisk next to any substantive changes.*

Section number	Requirement at proposed stage	What has changed	Rationale for change
9VAC5-40, Article 56			
8382 C	The term "letterpress printing operation" is defined.	The definition was revised to remove excess words. The meaning is unchanged.	Necessary to streamline and clarify the definition.
8382 C	The term "printing process" is defined.	The definition was revised to include examples more applicable to letterpress printing.	Necessary to clarify the definition.
8382 C	The term "theoretical potential to emit" is defined.	The definition was revised to correct a mistaken reference to lithographic printing.	Necessary to correct and clarify the definition.
8382 C	The term "unit" is defined.	The definition was revised to remove equipment not applicable	Necessary to correct and clarify the definition.

		to letterpress printing.	
8384 B	Standards applicable to each heatset web letterpress printing operation dryer with a TPTE over 25 tpy are described.	The type of VOC upon which the limits are based is corrected to be (petroleum ink oil) instead of all VOC in subsection B and subdivision B 3 and is specified to be applicable only to emissions from the dryer in subdivision B 3.	Necessary to conform to the limits described in the control techniques guidelines.
8396 B	Emissions testing of dryer control devices is required.	Testing is made optional unless the board requests testing.	Any mandatory testing requirement is beyond the requirements of RACT for this source category. Necessary to conform to the testing described in the control techniques guidelines.
8396 C	The method for determining continuing compliance with the standards is described.	Provision is made for determining continuing compliance in the absence of an initial performance test.	Necessary to conform to the testing described in the control techniques guidelines.
8396 D	None.	Retention factors for letterpress printing operations are specified.	Necessary so that sources have certainty that the board will calculate emissions for applicability purposes the same way as they do.
8396 E	None.	Capture efficiencies for letterpress printing operations are specified.	Necessary so that sources have certainty that the board will calculate emissions for applicability purposes the same way as they do.
8400 C 2	The sources for Reference Method 24 VOC content information is specified for "use-as-supplied" inks, coatings, and cleaning materials.	The term "MSDS sheet" is updated for the new title of the form "Safety Data Sheet (SDS).	Necessary to make the regulation as current as possible.
8400 D 2	The sources for VOC composite vapor pressure information is specified for "use-as-supplied" cleaning materials.	The term "Material Safety Ddata Sheet (MSDS)" is updated for the new title of the form "Safety Data Sheet (SDS).	Necessary to make the regulation as current as possible.
9VAC5-40, Article 56.1			
8422 C	The term "batch" is defined.	The definition was revised to apply the definition to cleaning solution as well as fountain solution.	Necessary to ensure the VOC content or vapor pressure of both solutions are calculated properly when they are prepared by batch.
8422 C	The term "heatset web offset lithographic printing dryer" is defined.	The definition is revised to delete "curing" from the processes done by the dryer.	Necessary to conform to the description of the fixing process by industry experts.
8422 C	The term "Offset	The definition was revised to	Necessary to streamline

	lithographic printing operation" is defined	remove excess words. The meaning is unchanged.	and clarify the definition.
8422 C	The term "printing process" is defined.	The definition was revised to include examples more applicable to offset lithographic printing.	Necessary to clarify the definition.
8422 C	The term "unit" is defined.	The definition was revised to remove equipment not applicable to offset lithographic printing.	Necessary to correct and clarify the definition.
8424 B	Standards applicable to each heatset offset lithographic printing operation dryer with a TPTE over 25 tpy are described.	The type of VOC upon which the limits are based is corrected to be (petroleum ink oil) instead of all VOC in subdivision B 3.	Necessary to conform to the limits described in the control techniques guidelines.
8424 C	The standards applicable to heatset web offset printing process dryers are described,	The list of exclusions to the standards is corrected from "subdivisions 4 and 5" to subdivisions 3, 4, and 5" to allow federally enforceable limits to exclude small sources from the standards and to add "(petroleum Ink oil) as the only type of VOC applicable in subsection C and subdivision C 3..	Necessary to correct the omission of the exclusion in subdivision C 3 and to specify the proper type of VOC..
8424 E	The VOC standards for cleaning materials are described.	A 110 gal of cleaning materials exemption is added.	Necessary to conform to the VOC exemptions described in the control techniques guidelines for cleaning materials.
8434 B	Emissions testing of dryer control devices is required.	Testing is made optional unless the board requests testing.	Any mandatory testing requirement is beyond the requirements of RACT for this source category. Necessary to conform to the testing described in the control techniques guidelines.
8434 C	The method for determining continuing compliance with the standards is described.	Provision is made for determining continuing compliance in the absence of an initial performance test.	Necessary to conform to the testing described in the control techniques guidelines.
8434 D	None.	Retention factors for offset lithographic printing operations are specified.	Necessary so that sources have certainty that the board will calculate emissions for applicability purposes the same way as they do.
8434 E	None.	Capture efficiencies for offset lithographic printing operations are specified.	Necessary so that sources have certainty that the board will calculate emissions for applicability purposes the same way as they do.
8438 C 2	The sources for Reference Method 24 VOC content	The term "MSDS sheet" is updated for the new title of the	Necessary to make the regulation as current as

	information is specified for "use-as-supplied" inks, coatings, and cleaning materials.	form "Safety Data Sheet (SDS).	possible.
8400 E 2	The sources for VOC composite vapor pressure information is specified for "use-as-supplied" cleaning materials.	The term "Material Safety Ddata Sheet (MSDS)" is updated for the new title of the form "Safety Data Sheet (SDS).	Necessary to make the regulation as current as possible.

Public comment

Please summarize all comments received during the public comment period following the publication of the proposed stage, and provide the agency response. If no comment was received, please so indicate.

Commenter	Comment	Agency response
EPA 1	These regulations contain the provision "Facility and control equipment maintenance or malfunction," which incorporates by reference the provisions of 9VAC5-20-180. This regulation contains Virginia's affirmative defense for malfunction (subsection G). EPA cannot approve any State Implementation Plan (SIP) revisions containing 9VAC5-20-180 G as presently written.	Because the final SIP call malfunction rule was signed on May 22, 2015, the department will not have time to modify the malfunction rules in time such that reference to them in the CTG rules is not an issue. Therefore, the affected malfunction provisions of the CTG rules will simply not be submitted as part of the initial SIP revision for those rules. This will enable EPA to approve the remainder of the CTG rules into the SIP in a timely and administratively rational manner. When the final malfunction rule is published and the department is able to amend the malfunction regulations accordingly, the outstanding CTG provisions will be submitted as part of the SIP at the same time. No change has been made to the proposal as a result of this comment.
EPA 2	These regulations contain the provisions "Standard for odor" and "Standard for toxic pollutants," which incorporate by reference the provisions in 9VAC5-40-130 and 9VAC5-60-200. § 107(a) of the Clean Air Act provides that SIPs are for the attainment and maintenance of national ambient air quality standards (NAAQS). The provisions in 9VAC5-40-130 and 9VAC5-60-200 are not applicable to the NAAQS. Therefore, EPA is concerned with SIP-approving provisions not in accordance with § 107(a), unless Virginia can explain how these are related to attainment and maintenance of the NAAQS.	As has been done in the past with other stationary source regulations for the control of VOC, the state-only odor and toxics provisions will not be submitted as part of the final SIP submittal. The public notice states, "It is planned to submit all provisions of the proposals as revisions to the Commonwealth of Virginia SIP with the exception of provisions related to state programs for odor and toxics." No change has been made to the proposal as a result of this comment.
Printing and	The definition for "Non-heatset" in	The use of informal terms such as "and/or"

<p>Graphics Association Mid Atlantic (PGAMA)</p>	<p>9VAC5-40-8382 and 9VAC5-40-8422 needs to have “and/” inserted between “absorption” and “or.”</p>	<p>is not consistent with the standards for style in regulatory technical writing. In this case, the word “or” is proper to convey the thought of “one, or the other, or any of them.” No change has been made to the proposal as a result of this comment.</p>
<p>PGAMA</p>	<p>The definitions for “Letterpress printing operation” in 9VAC5-40-8382 and “Offset lithographic printing operation” in 9VAC5-40-8422 are very confusing and need to be revised so that it reflects the intent of the applicability. “Letterpress printing operation” means one or more letterpress printing processes employing letterpress printing on letterpress printing presses and the related processes necessary to directly support the operation of those presses including, but not limited to, cleaning, prepress, and post-press operations. “Offset lithographic printing operation” means one or more printing processes employing offset lithographic printing on offset lithographic printing presses and includes the related processes necessary to directly support the operation of those offset lithographic printing processes including, but not limited to, pre-press and post-press operations. Varnishes, glues, and other coatings that are applied by an offset lithographic printing process are part of offset lithographic printing operations and are not considered as a separate process (e.g., paper coating)</p>	<p>As proposed, the definitions describe the facility (letterpress printing operation or offset lithographic printing operation) in terms of specific equipment (letterpress printing presses or offset lithographic printing presses) using a specific technique (letterpress printing or offset lithographic printing), the printing system that uses the defined equipment and technique (letterpress printing process or offset lithographic printing process), and the ancillary processes necessary to keep the system operating. Omitting the term “printing process” from the definition might be interpreted as excluding surface coating operations and this interpretation would not be correct. However, the point that the definitions are wordy and repetitive and therefore confusing is well taken. Appropriate changes reflecting the intent of the comment have been made to the proposal.</p>
<p>PGAMA</p>	<p>The definition for “Printing Process” in 9VAC5-40-8382 and 9VAC5-40-8422 needs to be slightly revised as it includes terms that are not applicable to printing presses or other printing equipment. Therefore, the definition should be revised as follows: “Printing process” means any operation or system wherein printing ink or a combination of printing ink and surface coating is applied, dried, or cured and that is subject to the same emission standard. A printing process may include any equipment that applies, conveys, dries, or cures inks or surface coatings including, but not limited to, <i>presses, digital output devices, fountain solutions, heaters, and dryers.</i> flow coaters, flashoff</p>	<p>The term “printing process” is more inclusive than applying only to printing techniques. It also refers to surface coatings that may be applied as part of the same process. It is therefore appropriate to describe equipment and terms that may be used in surface coating operations as well as those used on printing presses. Additionally, the listed equipment are examples of equipment that may be found on such a process. The list is not intended to be a list of required equipment or to implying that the presence of other equipment would exclude a certain printing line from the definition. That said, this definition can be revised to be particular to the printing process that is regulated in that article (Article 56 for letterpress printing operations and Article 56.1 for offset</p>

	<p>areas, air dryers, drying areas, and ovens.</p>	<p>lithographic printing operations), so it is appropriate to include specific equipment that is proposed by stakeholders as being more appropriate to that printing process. Appropriate changes reflecting the intent of the comment have been made to the proposal.</p>
PGAMA	<p>The definition for "Theoretical potential to emit" in 9VAC5-40-8382 includes a reference to heatset web offset lithographic, which limits its applicability to only those types of printing operations and the reference should be deleted. In addition the term "emissions" needs to be inserted between "limit" and "production" as USEPA allows certain types of sources, including printing operations to limit their potential to emit by taking limits on emissions.</p>	<p>The definition contains an erroneous reference to a lithographic printing press instead of the intended letterpress printing press. This comment is appropriate and changes reflecting the intent of this portion of the comment have been made to the proposal. The definition of "theoretical potential to emit" serves the only use of the term in 9VAC5-40-8284 (standard for volatile organic compounds) subsection B. The term is used as the method for determining the 25 ton per year dryer emissions exception to the dryer control requirements of subsection B of that section. Subdivision 3 of that subsection is clear that enforceable limits on the VOC content and application rates of inks and coatings (among other limits) may be used to meet that exception. No change has been made to the proposal as a result of this portion of the comment.</p>
PGAMA	<p>A definition for "batch" should be added to 9VAC5-40-8382.</p>	<p>Because fountain solution is not applied on letterpress printing presses and because the term "batch" is not used in Article 56, there is no reason to define such a term in 9VAC5-40-8382. No change has been made to the proposal as a result of this comment.</p>
PGAMA	<p>The definition for "Unit" in 9VAC5-40-8382 needs to be revised because it describes a lithographic printing press unit and not a letterpress printing unit. It should read as follows: "Unit" means the smallest, complete printing component, composed of an inking and dampening system of a printing press.</p>	<p>This comment is appropriate and changes reflecting the intent of the comment have been made to the proposal.</p>
PGAMA	<p>Subdivision 9 VAC5-40-8384 (B) of the proposed rule is an exemption from requirements of 9 VAC5-40-8384 (B) for any heatset web letterpress printing process with the potential to emit of 25 tons per year of VOC or more from the heatset web letterpress printing dryer. This exemption level is not consistent with the CTG as this exemption threshold applies only to the emissions of ink oil and not total VOC from the</p>	<p>The CTG clearly intended that the 25 tpy exception to apply only to ink oils and not to dryer combustion emissions or VOC emissions from other coatings. This comment is appropriate and changes reflecting the intent of the comment have been made to the proposal.</p>

	<p>press dryer.</p>	
<p>PGAMA</p>	<p>Subdivision 9 VAC5-40-8384 (B)(3) needs to be revised to reflect that the 25 ton limit is for petroleum ink oil and "other coatings applied" needs to be deleted as only inks and varnishes contain ink oil. In addition, "VOC emissions" needs to be added as option (v) as limiting emissions from printing operations and presses can be used as a federally enforceable approach per Section 6.3 of the June 2007 Technical Support Document (TSD) for Title V Permitting of Printing Facilities. Therefore, Subdivision 9 VAC5-40-8384 (B)(3) should be revised to read as follows: 3. Federally enforceable limitations on (i) the VOC (<i>petroleum ink oil</i>) content of inks and varnishes, and other coatings applied; (ii) the total amounts of inks <i>and</i> varnishes, and other coatings applied; (iii) the press application rates of inks <i>and</i> varnishes, and other coatings; or (iv) the hours of press operation; or (v) <i>emissions of VOC (petroleum ink oil)</i> may be used to meet the 25 ton per year exception to this subsection.</p>	<p>The CTG clearly intended that the 25 tpy exception to apply only to petroleum ink oils and not to dryer combustion emissions or non-petroleum ink oil VOC emissions from other coatings. See the response to comment 9. This comment is appropriate and changes reflecting the intent of this portion of the comment have been made to the proposal. The phrase "other coatings applied" as used in the proposed subdivision 3 of that subsection will include varnishes that contain ink oil and also any other coatings that contain petroleum ink oil that may be used in the future. Limiting the description of the coatings to varnishes would unnecessarily limit the applicability of future contributors to the 25 tpy petroleum ink oil exception. However, since only petroleum ink oil contributors are applied prior to the dryer, a change has been made to the proposal as a result of this portion of the comment. Settling the issue of whether federally enforceable emissions limitations are practically enforceable based upon equations in a Title V TSD is beyond the scope of this revision. No change has been made to the proposal as a result of this portion of the comment.</p>
<p>PGAMA</p>	<p>Subdivision 9VAC5-40-8396 (B) needs to be revised by adding the phrase "If requested" between "performed" and "to" as there is not mandatory testing requirement contained in the CTG. In addition, testing is usually mandated when a facility obtains an operating permit and including a provision of this nature could require a facility to retest an oxidizer that would have been recently tested. To prevent mandatory retesting at a frequency not mandated by an operating permit, an additional sentence needs to be added to this provision allowing for previous testing to be acceptable. The provision needs to be revised to reflect the testing requirements necessary for a successful destruction efficiency determination for an oxidizer used to control emissions from a heatset letterpress press. EPA recommended compliance testing</p>	<p>Concerning the request to make testing and retesting non-mandatory, this portion of the comment is appropriate and changes reflecting the intent of the comment have been made to the proposal. Testing during normal representative conditions is required by 9VAC5-40-30 C, which is incorporated into Article 56 by 9VAC5-40-8438 A. No change has been made to the proposal as a result of this portion of the comment.</p>

	should be conducted at operating conditions representative of a typical production schedule.	
PGAMA	Subdivision 9VAC5-40-8400 (C) needs the phrase "or one of the following methods" inserted after "Reference Method 24" as the current phrasing does not allow subdivisions 9VAC5-40-8400 (C) (1), (C) (2), (C)(3), or (C) (4) to be used to meet the condition.	The requirement in Subdivision 9VAC5-40-8400 (C) is that the VOC content be determined by Reference Method 24. It does not specify who must do that determination. The subdivisions that follow are not alternatives to the requirement for testing with Reference Method 24. They are a list of ways that the source can use Reference Method 24 information. No change has been made to the proposal as a result of this comment.
PGAMA	Subdivisions 9VAC5-40-8400 (C) (2) and 9VAC5-40-8438 (C) (2) should have the words "MSDS sheet" deleted and replaced with Safety Data Sheet (SDS) as the changes OSHA made to the Hazard Communication Standard has eliminated Material Safety Data Sheets and replaced them with Safety Data Sheets.	This comment is appropriate and changes reflecting the intent of the comment have been made to the proposal.
PGAMA	Subdivision 9VAC5-40-8400 (C) (3) needs to add the words "fountain solution or" between "If" and "cleaning materials." Also an additional sentence needs to be added that should be revised to indicate that the calculation only needs to be performed once for each batch of fountain solution or cleaning material being used, not for each use of a batch of a solution. Since more than one fountain solution or cleaning material can be used on different presses in one operation, the calculation needs to be performed for each fountain solution and cleaning material. This is important as once the printing operation determines the proper mix ratio for its fountain solution or cleaning material, the mix ratio is not altered.	: Letterpress printing operations do not use fountain solution. Nothing in subdivision C 3 precludes a calculation "per batch" or requires a calculation "per use", so it is entirely appropriate to calculate the VOC content per batch instead of per use according to subdivision C 3. No change has been made to the proposal as a result of this comment.
PGAMA	Subdivision 9VAC5-40-8400 (D) needs the phrase "or one of the following methods" inserted after "Reference Method 24" as the current phrasing does not allow subdivisions 9VAC5-40-8400 (D) (1), (D) (2), (D)(3), or (D) (4) to be used to meet the condition. Therefore, Subdivision 9 VAC5-40-8400 (D) should be revised so that it reads as follows: D. The VOC composite partial vapor pressure of cleaning solutions shall be	The requirement in 9VAC5-40-8400 D is that the VOC composite partial vapor pressure be determined by the referenced formula (or equivalent method). It does not specify who must do that determination. The subdivisions that follow are not alternatives to the requirement for testing to determine the VOC composite partial vapor pressure They are a list of ways that the source can use the testing information. No change has been made to the proposal as a result of this comment.

	determined using the formula provided in 9VAC5-40-8382 C or by an appropriate test method approved by the board <i>or one of the following methods:</i> .	
PGAMA	Subdivisions 9VAC5-40-8400 (D) (2) and 9VAC5-40-8438 (E) (2) should have the words “Material Safety Data Sheet (MSDS)” deleted and replaced with Safety Data Sheet (SDS) as the changes OSHA made to the Hazard Communication Standard has eliminated Material Safety Data Sheets and replaced them with Safety Data Sheets.	This comment is appropriate and changes reflecting the intent of the comment have been made to the proposal.
PGAMA	The definition for “Heatset web offset lithographic printing dryer” in 9VAC5-40-8422 needs to be revised because heatset lithographic inks do not cure, but dry by evaporation. Therefore, the definition should be revised as follows: "Heatset web offset lithographic printing dryer" means the dryer or dryers installed as part of a heatset web offset lithographic printing process that dries or cures inks or surface coatings.	This comment is appropriate and changes reflecting the intent of the comment have been made to the proposal.
PGAMA	The definition for “Lithographic printing” in 9VAC5-40-8422 needs to be revised by deleting the last sentence which describes letterpress printing. Therefore, the definition should be revised as follows: "Lithographic printing" means a planographic printing process in which the image and nonimage areas are chemically differentiated with the image area being oil receptive and the nonimage area being water receptive. This process differs from other printing processes, where the image is a raised or recessed surface.	The sentence in question differentiates lithographic printing from many other types of printing, not just letterpress printing. Flexographic printing and rotogravure printing are two other examples of printing processes that are so differentiated. This sentence is not an exclusion so much as it is a clarification by example. No change has been made to the proposal as a result of this comment.
PGAMA	The definition for “Theoretical potential to emit” in 9VAC5-40-8422 includes a reference to heatset web offset lithographic, which limits its applicability to only those types of printing operations and the reference should be deleted. In addition the term “emissions” needs to be inserted between “limit” and “production” as USEPA allows certain types of sources, including printing operations to limit their potential to emit by taking limits on emissions.	The definition in 9VAC5-40-8422 specifies that it applies only to the proposed Article 56.1 and as such will only apply to offset lithographic printing processes. The definition of "theoretical potential to emit" in this section serves the uses of the term in 9VAC5-40-8284 (standard for volatile organic compounds) subsection B subdivision 3 a and in subsection C, both of which apply only to heatset web offset lithographic printing processes. The term is used as the method for determining the 25 ton per year dryer emissions exception to

		<p>the dryer control requirements of subsection B and C of that section. Subdivision 3 of subsection C is clear that enforceable limits on the VOC content and application rates of inks and coatings (among other limits) may be used to meet that exception in subsection C. No change has been made to the proposal as a result of this portion of the comment.</p>
<p>PGAMA</p>	<p>Subdivision 9 VAC5-40-8424 (B)(3)(a) of the proposed rule is an exemption from requirements of 9 VAC5-40-8424 (B) for any heatset web offset lithographic printing process with the potential to emit of 25 tons per year of VOC or more from the heatset web offset lithographic printing dryer. This exemption level is not consistent with the CTG as the requirements for add on controls only apply to presses with potential VOC (petroleum ink oil) emissions that are greater than 25 tons per year. EPA chose this threshold due to the cost associated with installing and operating a control device and deemed controlling emissions that are less than this threshold to be excessive and not reasonable.</p> <p>In addition, the provision needs to be revised so that it clearly states it applies to a single heatset web offset lithographic printing process.</p> <p>Therefore, Subdivision 9 VAC5-40-8424 (B)(3)(a) should be revised to read as follows:</p> <p>a. Any single heatset web offset lithographic printing process with a theoretical potential to emit of 25 tons per year of VOC (<i>petroleum ink oil</i>) or more (<i>less</i>) from the heatset web offset lithographic printing dryer. VOC standards for heatset web offset lithographic printing process with a theoretical potential to emit of 25 tons per year of VOC (<i>petroleum ink oil</i>) or more are provided in subsection C of this section.</p>	<p>Subdivision 9 VAC5-40-8424 B 3 a is actually an exception to the dryer standards for facilities that were subject to Article 53 (covered in subsection B of this section). By the current wording of subsection B 3, it applies to each dryer. It directs the reader to the section C for standards for applicable dryers with a theoretical potential to emit (TPTE) of 25 tons per year of VOC or more. So this exception is correct as "25 tons per year of VOC (petroleum ink oil) <u>or more.</u>" No change has been made to the proposal as a result of this portion of the comment.</p> <p>The portion of the comment concerning the addition of "(petroleum ink oil)" after "VOC" is appropriate and changes reflecting the intent of this portion of the comment have been made to the proposal.</p>
<p>PGAMA</p>	<p>Subdivision 9 VAC5-40-8424 (B)(2) needs to be revised by deleting "50 parts per million volume (ppmv) or less, as carbon (minus methane and ethane)" and replacing it with "20 parts per million volume (ppmv) or less, as hexane on a dry basis." This would</p>	<p>The proposed Article 56.1 is to be applicable in certain areas (specifically the Northern Virginia VOC Emissions Control Area) where the CTG- specified RACT must be applied to the specified source category. However, there are standards already applicable to offset lithographic printing</p>

	<p>provide consistency with the CTG and 9VAC5-40-8424 (C)(2). Therefore, subdivision 9 VAC5-40-8424 (B)(2) should be revised to read as follows:</p> <p>2. Where the heatset web offset lithographic printing process control device inlet VOC concentration is too low to achieve the control device efficiency requirements specified in subdivisions (1) (C) of this subsection or there is no identifiable measurable inlet, the control device shall reduce the VOC concentration of the heatset web offset lithographic printing process dryer exhaust air to 50 parts per million volume (ppmv) or less, as carbon (minus methane and ethane), 20 parts per million volume (ppmv) or less, as hexane on a dry basis.</p>	<p>operations in Virginia in 9VAC5 Chapter 40 Article 53. Even though the new RACT for the Northern Virginia VOC Emissions Control Area is more restrictive in some ways for press dryers with a theoretical potential to emit (TPTE) greater than 25 tons per year of VOC, the existing rule applies some dryer standards to facilities down to a potential to emit of 10 tons of VOC per year. For those facilities, the standards of Article 53 must be carried forward into the new Article 56.1. Subsection 9VAC5-40-8424 B does that, so the appropriate standard for heatset web offset lithographic printing process dryers (carried from Article 53, 9VAC5-40-7820 B 2 with a TPTE less that 25 TPY) is 50 parts per million volume (ppmv) or less, as carbon (minus methane and ethane). No change has been made to the proposal as a result of this comment.</p>
<p>PGAMA</p>	<p>Subdivision 9 VAC5-40-8424 (C)(3) needs to be revised to reflect that the 25 ton limit is for petroleum ink oil and “other coatings deleted” as only inks and varnishes contain ink oil. In addition, “VOC emissions” needs to be added as option (v) as limiting emissions from printing operations and presses can be used as a federally enforceable approach per Section 6.3 of the June 2007 Technical Support Document (TSD) for Title V Permitting of Printing Facilities. Therefore, Subdivision 9 VAC5-40-8424 (C)(3) should be revised to read as follows:</p> <p>3. Federally enforceable limitations on (i) the VOC (<i>petroleum ink oil</i>) content of inks and varnishes, and other coatings applied; (ii) the total amounts of inks <i>and</i> varnishes, and other coatings applied; (iii) the press application rates of inks <i>and</i> varnishes, and other coatings; or (iv) the hours of press operation; <i>or (v) emissions of VOC (petroleum ink oil) may be used to meet the 25 ton per year exception to this subsection.</i></p>	<p>The CTG clearly intended that the 25 tpy exception to apply only to petroleum ink oils and not to dryer combustion emissions or non-petroleum ink oil VOC emissions from other coatings. See the response to comment 9. This comment is appropriate and changes reflecting the intent of this portion of the comment have been made to the proposal.</p> <p>The phrase "other coatings applied" as used in the proposed subdivision 3 of that subsection will include varnishes that contain ink oil and also any other coatings that contain petroleum ink oil that may be used in the future. Limiting the description of the coatings to varnishes would unnecessarily limit the applicability of future contributors to the 25 tpy petroleum ink oil exception. However, since only petroleum ink oil contributors are applied prior to the dryer, a change has been made to the proposal as a result of this portion of the comment.</p> <p>Settling the issue of whether federally enforceable emissions limitations are practically enforceable based upon equations in a Title V TSD is beyond the scope of this revision. No change has been made to the proposal as a result of this portion of the comment.</p>
<p>PGAMA</p>	<p>Subdivision 9 VAC5-40-8424 (E) needs to have an exclusion provided for up to 110 gallons per year of any cleaning material that does meet either</p>	<p>This portion of the comment concerning the 110 gallon exclusion is appropriate and changes reflecting the intent of the comment have been made to this portion of the</p>

	<p>limit in 9 VAC5-40-8424 (E)(1) or (E) (2). Due the nature of the materials and equipment being cleaned, an exclusion for 110 gallons per year for cleaning materials not meeting the limits will provide a covered printing operation the flexibility to clean difficult areas on the press. The use of those types of cleaning solutions on a limited basis was recognized by USEPA and was included in its CTG, with an exclusion of 110 gallons per year as a reasonable amount.</p> <p>In addition, 9 VAC5-40-8424 (E)(1) needs to be revised by deleting “30%” and replacing it with “70%” per the CTG requirements for cleaning solutions. Although this limit was originally included in the 1993 draft CTG for Offset Lithography, it was subsequently superseded by the 70% by weight limit with the issuance of the 2006 CTG for Offset Lithographic Printing and Letterpress printing. During the development of the 2006 final CTG, the printing industry demonstrated to EPA that the 30% by weight VOC content limit in the 1993 CTG did not constitute an achievable technology and therefore EPA revised the limit to 70% by weight.</p>	<p>proposal.</p> <p>Regardless of what the 2006 CTG says, the VOC content limit should be (i. e. 70%), the fact that a regulation already exists that applies to these sources that imposes the more restrictive standard (30%) means that the more restrictive standard must be retained. To do otherwise would be backsliding. No change has been made to the proposal as a result of this portion of the comment.</p>
<p>PGAMA</p>	<p>Subdivision 9VAC5-40-8434 (B) needs to be revised by adding the phrase “If requested” between “performed” and “to” as there is not a mandatory testing requirement contained in the CTG. In addition, testing is usually mandated when a facility obtains an operating permit and including a provision of this nature could require a facility to retest an oxidizer that would have been recently tested.</p> <p>To prevent mandatory retesting at a frequency not mandated by an operating permit, an additional sentence needs to be added to this provision allowing for previous testing to be acceptable.</p> <p>The provision needs to be revised to reflect the testing requirements necessary for a successful destruction efficiency determination for an oxidizer used to control emissions from a heatset web offset lithographic press. EPA recommended compliance testing</p>	<p>Concerning the request to make testing and retesting non-mandatory, this portion of the comment is appropriate and changes reflecting the intent of the comment have been made to the proposal.</p> <p>Testing during normal representative conditions is required by 9VAC5-40-30 C, which is incorporated into this Article by 9VAC5-40-8438 A. No change has been made to the proposal as a result of this portion of the comment.</p>

	should be conducted at operating conditions representative of a typical production schedule.	
PGAMA	<p>Subdivision 9VAC5-40-8438 (C) needs to the phrase “or one of the following methods” inserted after “Reference Method 24” as the current phrasing does not allow subdivisions 9VAC5-40-8438 (C) (1), (C) (2), (C)(3), or (C) (4) to be used to meet the condition. Therefore, Subdivision 9 VAC5-40-8438 (C) should be revised so that it reads as follows:</p> <p>C. The VOC content of as-applied inks, varnishes and other coatings, fountain solutions, and cleaning materials shall be determined using Reference Method 24 <i>or one of the following methods.</i></p>	<p>The requirement in Subdivision 9VAC5-40-8438 (C) is that the VOC content be determined by Reference Method 24. It does not specify who must do that determination. The subdivisions that follow are not alternatives to the requirement for testing with Reference Method 24. They are a list of ways that the source can use Reference Method 24 information. No change has been made to the proposal as a result of this comment.</p>
PGAMA	<p>Subdivision 9VAC5-40-8438 (C) (3) needs to have an additional sentence added that should be revised to indicate that the calculation only needs to be performed once for each batch of fountain solution or cleaning material being used, not for each use of a batch of a solution. Since more than one fountain solution or cleaning material can be used on different presses in one operation, the calculation needs to be performed for each fountain solution and cleaning material. This is important as once the printing operation determines the proper mix ratio for its fountain solution or cleaning material, the mix ratio is not altered.</p>	<p>Nothing in subdivision C 3 precludes a calculation "per batch" or requires a calculation "per use," so it is entirely appropriate to calculate the VOC content per batch instead of per use according to subdivision C 3. The definition of "batch" in 9VAC5-40-8422 C specifies that the supply of fountain solution is used unaltered after mixing. No change has been made to the proposal as a result of this portion of the comment.</p> <p>However, because the definition of "batch" in 9VAC5-40-8422 C is only applicable to fountain solution, a change to that definition of "batch" to add "or cleaning solution" would be necessary to provide for batch determinations of VOC content of cleaning solutions. Appropriate changes reflecting the intent of this portion of the comment have been made to the proposal.</p>
PGAMA	<p>Subdivision 9VAC5-40-8438 (E) needs to include the phrase “or one of the following methods” inserted after “Reference Method 24” as the current phrasing does not allow subdivisions 9VAC5-40-8438 (E) (1), (E) (2), (E)(3), or (E) (4) to be used to meet the condition. Therefore, Subdivision 9 VAC5-40-8438 (E) should be revised so that it reads as follows:</p> <p>E. The VOC composite partial vapor pressure of cleaning solutions shall be determined using the formula provided in 9VAC5-40-8422 C or by an appropriate test method approved by the board <i>or one of the following</i></p>	<p>The requirement in 9VAC5-40-8438 E is that the VOC composite pressure be determined by a specified formula or an approved test method. It does not specify who must do that determination. The subdivisions are not alternatives to the requirement for testing using those methods. The subdivisions that follow are not alternatives to the requirement for testing to determine the VOC composite partial vapor pressure They are a list of ways that the source can use the testing information. No change has been made to the proposal as a result of this comment.</p>

	<i>methods:</i>	
PGAMA	The proposed rule does not address key emission and retention factors that are specific to the lithographic printing industry and are necessary to perform accurate emission determinations. In order to ensure that the proper emission and retention factors are applied for purposes of determining applicability and compliance, the appropriate factors need to be included in the revisions to the rule. The recommended section will clarify the methodology for estimating actual emissions in the lithographic printing industry, saving administrative time and costs for both the VADEQ and the printing industry.	Retention factors and emission factors are important pieces of information that need to be used in determining how much VOC (petroleum ink oil) that is applied to the substrate is likely to be emitted. However, both retention factors and emission factors are technical information "that may be considered" according to the CTG. In certain situations, they may be different for a specific situation at a specific facility, and should not be mandatory. If there are questions about how VOC applied translates to VOC emitted for the purposes of determining "theoretical potential to emit" and applicability, the source is encouraged to consult with the printing expert at the appropriate DEQ regional office. Appropriate changes reflecting the intent of this comment have been made to the proposal.
PGAMA	The proposed rule does not provide a material use alternative for facilities to determine applicability. The material use approach makes it much easier for facilities to determine their applicability and was approved by EPA in its Potential to Emit (PTE) Guidance for Specific Source Categories released on April 14, 1998.	The use of a material use alternative is not supported by EPA's 2006 Control Techniques Guidelines for Offset Lithographic Printing and Letterpress Printing (CTG) upon which the proposed regulation is based. There are differences between the recommendations in the CTG and the 1998 EPA document "Potential to Emit (PTE) Guidance for Specific Source Categories" referenced in the PGAMA comment. The referenced 1998 document defers to the CTGs and It is significant that the method endorsed by the 1998 PTE document is omitted from EPA's much later comprehensive 2006 update to the CTG for this source category. Also, as of this date EPA has issued no correction to the CTG to incorporate or allow the proposed material use alternative for applicability purposes. No change has been made to the proposal as a result of this comment.

All changes made in this regulatory action

Please list all changes that are being proposed and the consequences of the proposed changes. Describe new provisions and/or all changes to existing sections. Explain the new requirements and what they mean rather than merely quoting the proposed text of the regulation

Current section number	Proposed new section number, if applicable	Current requirement	Proposed change and rationale
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Article 53 (9VAC5-40-7800 et seq.)			
7800 C		Applicability and designation of affected facility is established for lithographic printing facilities in all volatile Organic Compound (VOC) Emissions Control Area, except for facilities in the Northern Virginia Volatile Organic Compound Emissions Control Area who's potential to emit is less than 10 tons per year of volatile organic compounds.	The applicability exception in this existing regulation is extended to all offset lithographic printing operations in the Northern Virginia VOC Emissions Control Area. Will avoid confusion and overlap with provisions of the new Article 55, which contains a lower applicability threshold and more restrictive standards applicable to offset lithographic printing operations in the Northern Virginia VOC Emissions Control Area.
Article 56 (9VAC5-8380 et seq.)			
	8380	None.	Applicability and designation of affected facility established with an annual threshold emission rate of 3 tons of VOC per year, before controls. Will enable potentially affected sources to determine if the regulation applies to a particular source.
	8382	None.	Definitions added. Will enable the provisions of the rule to be clearly understood, and to ensure proper implementation.
	8384	None.	Standard for VOCs added. Will enable affected sources to know what VOC emission limits they must meet, and how those emissions will be controlled.
	8386	None.	Standard for visible emissions added. Will enable affected sources to know what visible emission limits they must meet.
	8388	None.	Standard for fugitive dust/emissions added. Will enable affected sources to know what fugitive dust/emissions limits they must meet.
	8390	None.	Standard for odor added. Will enable affected sources to know what odor limits they must meet.
	8394	None.	Standard for toxic pollutants added. Will enable affected sources to know what toxic pollutant limits they must meet.
	8396	None.	Compliance provisions added. Will enable affected sources to know what compliance requirements they must meet.
	8398	None.	Compliance schedule added. Will enable affected sources to know when the requirements of the rule must be met.
	8400	None.	Test methods and procedures added. Will enable affected sources to know what test methods and procedures must be followed.
	8410	None.	Monitoring provisions added. Will enable affected sources to know what monitoring requirements must be met.
	8412	None.	Notification, records and reporting

			provisions added. Will enable affected sources to know what notification, records and reporting requirements must be met.
	8414	None.	Registration provisions added. Will enable affected sources to know what registration requirements must be met.
	8416	None.	Facility and control equipment maintenance or malfunction provisions added. Will enable affected sources to know what facility and control equipment maintenance or malfunction requirements must be met.
	8418	None.	Requirements for permits added. Alerts sources that additional permitting requirements located in other parts of the regulations must be met.
Article 56.1 (9VAC5-40-8420 et seq.)			
	8420	None.	Applicability and designation of affected facility established with an annual threshold emission rate of 3 tons of VOC per year, before controls. Will enable potentially affected sources to determine if the regulation applies to a particular source.
	8422	None.	Definitions added. Will enable the provisions of the rule to be clearly understood, and to ensure proper implementation.
	8424	None.	Standard for VOCs added. Will enable affected sources to know what VOC emission limits they must meet, and how those emissions will be controlled.
	8426	None.	Standard for visible emissions added. Will enable affected sources to know what visible emission limits they must meet.
	8428	None.	Standard for fugitive dust/emissions added. Will enable affected sources to know what fugitive dust/emissions limits they must meet.
	8430	None.	Standard for odor added. Will enable affected sources to know what odor limits they must meet.
	8432	None.	Standard for toxic pollutants added. Will enable affected sources to know what toxic pollutant limits they must meet.
	8434	None.	Compliance provisions added. Will enable affected sources to know what compliance requirements they must meet.
	8436	None.	Compliance schedule added. Will enable affected sources to know when the requirements of the rule must be met.
	8438	None.	Test methods and procedures added. Will enable affected sources to know what test methods and procedures must be followed.
	8440	None.	Monitoring provisions added. Will enable affected sources to know what monitoring

			requirements must be met.
	8450	None.	Notification, records and reporting provisions added. Will enable affected sources to know what notification, records and reporting requirements must be met.
	8460	None.	Registration provisions added. Will enable affected sources to know what registration requirements must be met.
	8470	None.	Facility and control equipment maintenance or malfunction provisions added. Will enable affected sources to know what facility and control equipment maintenance or malfunction requirements must be met.
	8480	None.	Requirements for permits added. Alerts sources that additional permitting requirements located in other parts of the regulations must be met.

Family impact

Please assess the impact of this regulatory action on the institution of the family and family stability including to what extent the regulatory action will: 1) strengthen or erode the authority and rights of parents in the education, nurturing, and supervision of their children; 2) encourage or discourage economic self-sufficiency, self-pride, and the assumption of responsibility for oneself, one’s spouse, and one’s children and/or elderly parents; 3) strengthen or erode the marital commitment; and 4) increase or decrease disposable family income.

It is not anticipated that the proposal will have a direct impact on families.

Regulatory flexibility analysis

Please describe the agency’s analysis of alternative regulatory methods, consistent with health, safety, environmental, and economic welfare, that will accomplish the objectives of applicable law while minimizing the adverse impact on small business. Alternative regulatory methods include, at a minimum: 1) the establishment of less stringent compliance or reporting requirements; 2) the establishment of less stringent schedules or deadlines for compliance or reporting requirements; 3) the consolidation or simplification of compliance or reporting requirements; 4) the establishment of performance standards for small businesses to replace design or operational standards required in the proposed regulation; and 5) the exemption of small businesses from all or any part of the requirements contained in the proposed regulation.

The regulations apply to all facilities, including small businesses. Any (1) establishment of less stringent compliance or reporting standards; (2) establishment of less stringent schedules or deadlines for compliance or reporting requirements; (3) consolidation or simplification of compliance or reporting requirements; (4) establishment of performance standards for small businesses to replace design or operational standards required in the proposed regulation; or (5) exemption of small businesses from all or any part of the requirements contained in the proposed regulation for all small businesses would directly, significantly and adversely affect the benefits that would be achieved through the implementation of the regulations.

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