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CHARLESTON 25305  
SECRETARY OF STATE

A. JAMES MANCHIN  
SECRETARY OF STATE

STATE REGISTER FILING

I, Carl G. Beard, II, Secretary,  
Title or Position

Air Pollution Control Commission, hereby submit to record in  
Department or Division

the State Register on 8 1/2 x 11" paper two (2) copies of

- proposed rules and regulations concerning topics of material not covered by existing rules and regulations;
- proposed rules and regulations superseding rules and regulations already on file;
- notice of hearing;
- findings and determinations;
- rules and regulations; or
- other - specify ( )

This filing pertains to

Chapter 16  
Article 20  
Series XXVII  
Section \_\_\_\_\_  
Page No. \_\_\_\_\_

- proposed rules and regulations are required to go to Legislative Rule Making Committee;
- proposed rules and regulations are excluded from Legislative Rule Making Committee;

December 15, 1978  
Date Submitted

Carl G. Beard, II  
Signature of Person Authorizing  
this Filing - Carl G. Beard, II

## NOTICE OF PUBLIC HEARINGS

Pursuant to the provisions of Chapter 16 and Chapter 29A of the Code of West Virginia and the Federal Clean Air Act, as amended, notice is hereby given that the West Virginia Air Pollution Control Commission will hold public hearings concerning proposed regulations to establish the means and methods for the attainment of National Ambient Oxidant Standards in Air Quality Control Region IV by the reduction of volatile organic compounds. On the same date, hearings will also be held concerning the following proposed regulations:

Regulation XIX - "To Prevent and Control Air Pollution

From the Emission of Volatile Organic Compounds

From the Manufacturing and Use of Cutback Asphalt";

Regulation XX - "To Prevent and Control Air Pollution

From the Emission of Volatile Organic Compounds

From Gasoline Service Stations Stage I";

Regulation XXI - "To Prevent and Control Air Pollution

From the Emission of Volatile Organic Compounds

From the Storage of Petroleum Liquids in Fixed

Roof Tanks";

Regulation XXII - "To Prevent and Control Air Pollution

From the Emission of Volatile Organic Compounds

From Bulk Gasoline Plants";

Regulation XXIII - "To Prevent and Control Air Pollution

From the Emission of Volatile Organic Compounds

From Bulk Gasoline Terminals";

Regulation XXIV - "To Prevent and Control Air Pollution  
From the Emission of Volatile Organic Compounds  
From Petroleum Refinery Sources";

Regulation XXV - "To Prevent and Control Air Pollution  
From the Emission of Volatile Organic Compounds From  
Solvent Metal Cleaning Operations";

Regulation XXVI - "To Prevent and Control Air Pollution  
From the Emission of Volatile Organic Compounds  
From Automobile and Light Duty Truck Manufacturing  
Operations";

Regulation XXVII - "To Prevent and Control Air Pollution  
From the Emission of Volatile Organic Compounds From  
Can Manufacturing Operations";

Regulation XXVIII - "To Prevent and Control Air Pollution  
From the Emission of Volatile Organic Compounds From  
Metal Furniture Manufacturing Operations";

Regulation XXIX - "To Prevent and Control Air Pollution  
From the Emission of Volatile Organic Compounds From  
Paper and Textile Manufacturing Operations" and

Regulation XXX - "To Prevent and Control Air Pollution  
From the Emission of Volatile Organic Compounds From  
Large Appliance Manufacturing Operations".

more more more

Proposed Regulation XXVI through Regulation XXX will apply to all of West Virginia, while proposed Regulation XIX through Regulation XXV will apply only to Air Quality Control Region IV.

The public hearings will be held on Tuesday, January 16, 1979, at 9:15 a.m. in the Charleston Civic Center "North Gallery" located on Reynolds Street, Charleston, Kanawha County, West Virginia.

Copies of the proposed additions to West Virginia's Implementation Plan are available for public inspection in the offices of the West Virginia Air Pollution Control Commission located at 1558 Washington Street, Charleston, West Virginia., and the West Virginia Air Pollution Control Commission's Northern Panhandle Regional Office located at 1911 Warwood Avenue, Wheeling, West Virginia.

Any person who desires to submit exhibits or other written material must submit the exhibits or documents and eleven (11) copies thereof.

The hearings are open to the public and comments from any person will be received and made part of the record.

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Carl C. Beard, II  
Secretary  
West Virginia Air Pollution  
Control Commission

WEST VIRGINIA ADMINISTRATIVE REGULATIONS  
AIR POLLUTION CONTROL COMMISSION

PROPOSED REGULATION

REGULATION XXVII

"TO PREVENT AND CONTROL AIR POLLUTION FROM  
THE EMISSION OF VOLATILE ORGANIC COMPOUNDS  
FROM CAN MANUFACTURING OPERATIONS"

*Proposed Regulation*

A public hearing will be held concerning proposed additions to West Virginia's Implementation Plan relative to the attainment and maintenance of Ambient Air Quality Standards for Photochemical Oxidants (Ozone) on Tuesday, January 16, 1979, at 9:15 a.m. at the Charleston Civic Center, "North Gallery", located on Reynolds Street, Charleston, Kanawha County, West Virginia. Following the hearing on proposed additions to the Implementation Plan, public hearings will be held, in consecutive order, concerning proposed Regulations XIX, XX, XXI, XXII, XXIII, XXIV, XXV, XXVI, XXVII, XXVIII, XXIX and XXX.

WEST VIRGINIA ADMINISTRATIVE REGULATIONS  
Air Pollution Control Commission

Chapter 16-20  
Series XXVII  
(1979)

Subject: Regulation XXVII - To Prevent and Control Air Pollution From  
the Emission of Volatile Organic Compounds From Can Manu-  
facturing Operations.

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Section 1. Intent and Purpose.

It is the intent of the Commission that all persons engaged in  
the manufacture and coating of cans control the emission of  
volatile organic compounds through the application of reasonably  
available control technology.

Section 2. Definitions.

- 2.01. "Air Pollution," 'statutory air pollution,' shall have the meaning  
ascribed to it in Section Two of Chapter Sixteen, Article Twenty  
of the Code of West Virginia, as amended.
- 2.02. "Approved" shall mean approved by the designated official of  
the West Virginia Air Pollution Control Commission.
- 2.03. "Can coating" shall mean and include coating applicator(s) and  
oven(s) of sheet, can or end coating lines involved in sheet base-  
coat (exterior and interior) and overvarnish; two-piece can

exterior (basecoat and overvarnish); two and three-piece can interior body spray; two-piece can exterior end (spray or roll coat), three-piece can side-seam spray and end sealing compound operations.

- 2.04. "Capture system" shall mean the equipment (including hoods, ducts, fans, etc.) used to contain, capture, or transport a pollutant to a control device.
- 2.05. "Coating applicator" shall mean an apparatus used to apply a surface coating.
- 2.06. "Coating line" shall mean one or more apparatus or operations which include a coating applicator, flash-off area, and oven wherein a surface coating is applied, dried, and/or cured.
- 2.07. "Commission" shall mean the West Virginia Air Pollution Control Commission.
- 2.08. "Construction" shall mean commencement of onsite fabrication, erection, or installation of an emission source, air pollution control equipment, or a facility.
- 2.09. "Control device" shall mean equipment (incinerator, adsorber, or the like) used to destroy or remove air pollutant(s) prior to discharge to the ambient air.
- 2.10. "Day" shall mean a 24-hour period beginning at midnight.

- 2.11. "Director" shall mean the director of the West Virginia Air Pollution Control Commission.
- 2.12. "Emission" shall mean the release or discharge, whether directly or indirectly, of any air pollutant into the ambient air from any source.
- 2.13. "End sealing compound" shall mean a synthetic rubber compound which is coated on to can ends and which functions as a gasket when the end is assembled on the can.
- 2.14. "Exterior base coating" shall mean a coating applied to the exterior of a can to provide exterior protection to the metal and to provide background for the lithographic or printing operation.
- 2.15. "Facility" shall mean any building, structure, installation, activity, or combination thereof which contains a stationary source of air-contaminants.
- 2.16. "Flashoff area" shall mean the space between the application area and the oven.
- 2.17. "Incinerator" shall mean a combustion apparatus designed for high temperature operation in which solid, semisolid, liquid, or gaseous combustible wastes are ignited and burned efficiently and from which the solid and gaseous residues contain little or no combustible material.
- 2.18. "Interior base coating" shall mean a coating applied by roller coater or spray to the interior of a can to provide a protective



lining between the can metal and product.

- 2.19. "Interior body spray" shall mean a coating sprayed on the interior of the can body to provide a protective film between the product and the can.
- 2.20. "Oven" shall mean a chamber within which heat is used to bake, cure, polymerize, and/or dry a surface coating.
- 2.21. "Overvarnish" shall mean a coating applied directly over ink to reduce the coefficient of friction, to provide gloss and to protect the finish against abrasion and corrosion.
- 2.22. "Owner or operator" shall mean any person who owns, leases, controls, operates or supervises a facility, an emission source, or air pollution control equipment.
- 2.23. "Person" shall mean any and all persons, natural or artificial, including any municipal, public or private corporation organized or existing under the laws of this or any other state or country, and any firm, partnership, or association of whatever nature.
- 2.24. "Standard conditions" shall mean a temperature of 20°C (68°F) and pressure of 760 millimeters of mercury (29.92 inches of mercury).
- 2.25. "Three-piece can side-seam spray" shall mean a coating sprayed on the exterior and interior of a welded, cemented or soldered seam to protect the exposed metal.

2.26. "Two-piece can exterior end coating" shall mean a coating applied by roller coating or spraying to the exterior end of a can to provide protection to the metal.

2.27. "Volatile organic compound" (also denoted as VOC) shall mean any compound of carbon that has a vapor pressure greater than 0.1 millimeters of mercury at standard conditions excluding carbon monoxide, carbon dioxide, carbonic acid, metallic carbides, or carbonates, and ammonium carbonate.

Section 3. Emission Limitations and Standards of Measurement.

3.01. No owner or operator of any can coating line subject to this Regulation may cause, allow or permit the discharge into the atmosphere of any volatile organic compounds in excess of:

(a) 0.34 kilograms per liter of coating (2.8 pounds per gallon), excluding water, delivered to the coating applicator from sheet basecoat (exterior and interior) and overvarnish or two-piece can exterior (basecoat and over-varnish) operations.

(b) 0.51 kilograms per liter of coating (4.2 pounds per gallon), excluding water, delivered to the coating applicator from two- and three-piece can interior body spray and two-piece can exterior end (spray or roll coat) operations.

(c) 0.66 kilograms per liter of coating (5.5 pounds per gallon), excluding water, delivered to the coating applicator from three-piece can side-seam spray operations.

(d) 0.44 kilograms per liter of coating (3.7 pounds per gallon), excluding water, delivered to the coating applicator from end sealing compound operations.

3.02. The emission limits under Sub-Section 3.01 shall be achieved by:

(a) the application of low solvent content coating technology; or,

(b) incineration, provided that 90 percent of the nonmethane volatile organic compounds (VOC measured as total combustible carbon) which enter the incinerator are oxidized to carbon dioxide and water; or,

(c) a system demonstrated to have control efficiency equivalent to or greater than provided under paragraphs (a) or (b) of this Sub-Section and approved by the Director.

3.03. The design, operation, and efficiency of any capture system used in conjunction with Sub-Section 3.02 (b) and (c) shall be certified in writing by the owner or operator and approved by the Director.

3.04. (a) After \_\_\_\_\_, no person may cause, allow, or permit the disposal of more than 5.7 liters (1.5 gallons) of any volatile organic compounds, or of any materials containing more than 5.7 liters (1.5 gallons) of any volatile organic compounds, in any one day in a manner that would permit their evaporation into the atmosphere.

(b) Paragraph (a) of this Section includes, but is not limited to, the disposal of volatile organic compounds which must be removed from volatile organic compound control devices so as to maintain the control devices at their required operating efficiency.

3.05. (a) Realizing that compliance with the provisions of this Section may, in some cases, be technologically infeasible, the Commission may, upon specific application by the owner or operator of a can coating line, grant exemptions from these provisions. However, the petition must be submitted in writing in a manner approved by the Director and must contain:

- (1) a detailed description of the proposed alternative operational and/or equipment controls, the magnitude of volatile organic compound emission reduction which will be achieved, and the quantity and composition of volatile organic compounds which will be emitted if the alternative operational and/or equipment controls are instituted; and,
- (2) a plan, which will be instituted in addition to the proposed alternative operational and/or equipment controls, to reduce volatile organic compound emissions from other source operations, not required under this Regulation,

such that aggregate volatile organic compound emissions from the facility will in no case be greater through application of the alternative control than would be permitted through conformance with Sub-Section 3.01; and,

(3) a schedule for the installation and/or institution of the alternative operational and/or equipment controls.

(b) From time to time the Commission shall review such exemptions to determine if they are still warranted. If the Commission revises or terminates an exemption, the owner or operator of the affected can coating line shall be notified by certified mail. Such revision or terminations shall not become effective for at least ninety (90) days after the receipt of notification by the owner or operator.

Section 4. Registration.

4.01. Within thirty (30) days after the effective date of this Regulation all persons owning and/or operating a can coating line(s) subject to this Regulation and not previously registered shall have registered such source(s) with the Commission. The information required for registration shall be determined and provided in the manner specified by the Director. Registration forms should be requested from the Director by the owner or operator of such source(s).

4.02. The owner or operator of a can coating line that is under construction or on which construction is initiated within thirty (30) days after the effective date of this Regulation shall register such source(s) within this thirty (30) day period.

Section 5. Permits.

After the effective date of this Regulation, no person shall construct or modify any can coating line subject to this Regulation without first obtaining a permit for such construction or modification. Applications for permits shall be made upon forms available from the Director and shall be filed no less than ninety (90) days prior to the construction or modification. These forms shall include such information as in the judgment of the Director will enable him to determine whether such source will be so designed as to operate in conformance with the provisions of this Regulation and the Code of West Virginia, and will not cause or contribute to the violation of Air Quality Standards. Within ninety (90) days of the receipt of an application the Director shall issue or deny such permit in accordance with the provisions of Section Two of Chapter Sixteen, Article Twenty, Paragraph 11b of the Code of West Virginia, as amended, and Regulation XIII of this agency.

Section 6. Reports and Testing.

- 6.01. At such reasonable times as the Director may designate, the owner or operator of any can coating line(s) may be required to conduct or have conducted tests to determine the compliance of such line(s) with the emission limitations of Section 3. The Director, or his duly authorized representative, may at his option witness or conduct such tests. Should the Director exercise his option to conduct such tests, the owner or operator will provide all the necessary sampling connections and sampling ports to be located in such manner as the Director may require, power for test equipment, and the required safety equipment to comply with generally accepted good safety practices.
- 6.02. For the purpose of determining the volatile content of surface coatings, a representative sample of the coating shall be obtained at the point of delivery to the coater or any other point in the process that the Director approves. The volatile content of the sample shall be determined in a manner approved by the Director.
- 6.03. For the purpose of determining the efficiency of a volatile organic compound emission control system, the following procedure shall be included:
- (a) The volatile organic compound containing material shall be sampled and analyzed in a manner approved by the Director

such that the quantity of emissions that could result from the use of the material can be quantified.

(b) The efficiency of any capture system used to transport the volatile organic compound emissions from their point of origination to the control equipment shall be computed using accepted engineering practice and in a manner approved by the Director.

(c) Samples of the volatile organic compound containing gas stream shall be taken simultaneously at the inlet and outlet of the emissions control device in a manner approved by the Director.

(d) The total combustible carbon content of the samples shall be determined by a method approved by the Director.

(e) The efficiency of the control device shall be expressed as a fraction of total combustible carbon content reduction achieved.

(f) The volatile organic compound mass emission rate shall be the sum of emissions from the control device, emissions not collected by the capture system and capture system losses.

6.04. The Director, or his duly authorized representative, may conduct such other tests as he may deem necessary to evaluate air pollution emissions other than those noted in Section 3.



6.05. The Commission may publish, and from time to time revise, detailed test procedures and reporting instructions implementing the provisions of this section.

Section 7. Compliance Programs and Schedules.

7.01. In the event that a can coating line subject to this Regulation and in existence prior to the adoption of this Regulation does not meet the emission limitations, an acceptable program to fully comply with the Regulation shall be developed and offered to the Commission by the person responsible for the source. This program shall be submitted upon the request of, and within such time as shall be fixed by the Commission. Once this program has been approved by the Commission, the owner and/or operator of such installation shall not be in violation of this Regulation so long as the approved or amended program is observed.

7.02. In the event that an owner or operator of such a source(s) of volatile organic compounds fails to submit a program or an acceptable program and schedule, the Commission shall, by order, determine the compliance program and schedule.

Section 8. Variance.

Due to unavoidable malfunction of equipment, emissions exceeding those provided for in this Regulation may be permitted

by the Director for periods not to exceed ten (10) days upon specific application to the Director. Such application shall be made within twenty-four (24) hours of the equipment malfunction. In cases of major equipment failure, additional time periods may be granted by the Commission provided a corrective program has been submitted by the owner or operator and approved by the Commission.

Section 9. Exemptions.

9.01. Sources subject to this Regulation whose emissions of volatile organic compounds are not more than 6.8 kilograms (15 pounds) in any one day, nor more than 1.4 kilograms (3 pounds) in any one hour will be exempt from Sections 3 through 8, provided the emission rates are determined and certified before \_\_\_\_\_, in a manner approved by the Director.

9.02. Sources used exclusively for chemical or physical analysis or determination of product quality and commercial acceptance will be exempt from Sections 3 through 8 provided;

(a) The operation of the source is not an integral part of the production process; and,

(b) The emissions from the source do not exceed 363 kilograms (800 pounds) in any calendar month; and,

(c) The exemption is approved in writing by the Director.

Section 10. Effective Date.

Regulation XXVII shall become effective \_\_\_\_\_,

19\_\_\_\_.