

Technical Subcommittee
Conference Call
Thursday October 27, 2005 at 11:00 AM EST.
Minutes

1. Roll call

In attendance: Ky Asral-NJ, Jim Coyle-NY, Richard Rasmussen-VA, Lee Tate-GA, Tony Pendola-NC; Renee Bashel-WI; Amelia Gooding and Jackie Sims- IL; Mike Nelson-MN; Rick Carleski-OH; Sally Tarowsky-ID; Linda Hayes-Gorman-OR; Dan Nickey-IA; Todd Nein-OH

2. Agenda Repair – switched around topics since some had trouble getting on the call and others had to leave early.

3. Update on TBAC reporting – Mike Nelson

Not much new has come up, but wanted to let everyone know that he's written a newsletter article and has a fact sheet prepared if anyone wants the information. T-butyl acetate is mostly used by pharmaceuticals, and they haven't seen a jump in use in other areas yet since it has been delisted as a VOC. Still hoping that the manufacturer and primary users (and EPA?) will work together on a common reporting system. Mike emailed links during the call:

MN Factsheet on TBAC reporting: <http://www.pca.state.mn.us/publications/aa7-01.pdf>
Article (on back cover): <http://www.pca.state.mn.us/publications/newsletters/sbap-vol8iss1.pdf>

4. Kim Teal's visit to IA – Dan Nickey

Kim, Paula and a contractor traveled to Iowa for the visit. Dan took them to four shops: one way out in the country, a one man shop; one with 3-4 employees; and then 2 dealerships. They saw the full range of booths, from home made to pre-fab. After the tours, Kim presented to a gathering of the association of shop owners her concepts of how the rule will work. Largely the focus is on BMPs and training, with the addition of point of purchase restrictions. Similar to the freon exchange program, painters would need to be certified for having completed training in order to receive a registration number that allows them to purchase refinishing materials. Most attending the presentation didn't seem to have problems with the concept but Kim was very light on details. It sounded like compliance would be fairly easy to demonstrate.

Discussion:

There will not be a deminimus in the rule.

Some of the details we need answers to are:

- Who does the work of training and maintaining registration? Likely, whoever takes delegation.
- What is the real level of training that will be needed? If like the freon test, anyone can pass. For the big shops this is easy – just combine it with their annual training with PPG/other manufacturers. Smaller shops don't go to training every year, so this is a full day out of their schedule.

NE states had a body shop rule which initially required training, but when implementing it NY took out the training because of the logistics.

Richard has had a request from Mary Cushmac (sp?) to ask the Autobody group a question, but it seems like a Tech Subcommittee question. EPA would still like to get specific rule details from states with regulations on autobody shops and equipment requirements, esp. HVLP or equivalent technology. Last time question came up just those on the technical committee responded as they could. Try to get more responses. **ACTION ITEM: Send out email through Steering Committee to ask states for rules with 1. gun technology, 2. spray booth specs, 3. training. Richard and Renee to discuss email later.**

Richard has learned a number of things doing his autobody training sessions for his ERP workbook. If a shop wants to use one of Dupont's materials, then the shop has to use the whole series of materials from that manufacturer in order to get a guarantee.

Can we ask Kim (or others) whether there might be money for SBAPs to do training and registration?

Small shops usually have a 'chef' to do the paint mixing. Training is just on how to shoot the gun, and often the manufacturer's rep comes in for a demo. Full certification with training will be more cumbersome.

Kim is still planning on traveling to other states. Others that have been mentioned are: VA, NC, KY, NY, DC, MN, WI. Anyone with firm dates? (WI still needs to find a date since November 11th (Vet's Day) Association meeting wasn't possible.)

What about the hobbyists? Problem really is the urban areas where shops are in close proximity. Rural guys are often miles away from even a paint shop, so having to show a registration number will be very difficult. They also present little impact, so benefit doesn't really offset the cost/burden.

Have we (subcommittee) put into writing any support for different handling of urban/rural spots? Does EPA have authority to regulate portions of country differently under NESHAPs? Richard – yes, they have shown (was it a court decision?) they can regulate industry just in certain locations.

5. Once in – Always in, and problem in IL

(Jim Coyle provided a write up on general issue, attached to email)

How does it work in other states?

One state is carefully and quietly letting folks out of MACT and Title V. What can EPA really do since it is ONLY guidance? What force of law do they have to support denying the state's action? No rule promulgated, but believes the rule to eliminate OIAI is nearly signed. Was expecting last Administrator to sign, but may take some time now with Johnson in.

IL is having trouble with Region V allowing a facility to get out that never should have been included. Problem was that a consultant gave bad advice, and company has such low actuals they just needed to get a FESOP. Now it's past the compliance deadline for the wood products MACT and they can't comply. Really, shouldn't have to.

Only documented case of a company being allowed to get out was Springs (?) facility in Region 1.

A few are being allowed out in another state, but again may not have EPA approval. State is just going ahead.

The committee and individual programs should plan on making comments in support of the “secret” rule to eliminate OIAI, whenever it is signed.

The previous attempt to allow some cases out, through the P2 rule, was killed because in that case the P2 allowance was an attempt to modify guidance by promulgating a rule.

6. Information on GreenEarth (Siloxane D5) drycleaning solution – Mike Nelson

There are issues with this material in terms of the unknown impact of Siloxane D5 to human health at high exposures. There is confusion about whether human carcinogenicity can be predicted for the compound based on the results from rodent studies in 2003. The pathway shown in rats is believed to be different in humans.

Because of the uncertainty, California will not approve the compound for use as an alternative to perc for their grant program. A shop in North Carolina was an early adopter. They didn't think it was a HAP issue, but rather whether it's a hazardous waste. Green Earth tells everyone to treat as Hazardous Waste. Minnesota shop had heard it was a health issue, so didn't want push its use. (See article in response to an NPR story: <http://www.natclo.com/0502/aa20.htm>)

The manufacturer submitted more test data to EPA within the last month or so. Fact sheets from EPA's Office of Pollution Prevention and Toxics will be available within the next couple of weeks with their response. It will be found at the website below.

Links: Siloxane D5 Drycleaning - EPA web link:

<http://www.epa.gov/dfepubs/garment/d5fs.htm>

EPA factsheet: <http://www.epa.gov/dfepubs/garment/d5fs.pdf>

7. Update on Area Source Deferral status – anyone with current info?

Mike Nelson recently spoke with the rule writer (Jeff Herring, EPA). He is confident it will be published prior to December 9th, but not before Thanksgiving.

8. Useful docs/links for area source project (attachments included) – Jim Coyle

As folks are working on the area source NESHAPs, it might be helpful to look at the background documents on rule development. In some cases they discuss why the category was included in the area source category listing. These docs are not easy to find on the ATW because they're not linked to anything else any more. Do some savvy googling, and you can often track them down. Because the file names are so bad (non-descriptive) you often have to open everything to find out what they have.

An interesting note is that an autobody document discussed an assumption that many shops LACK a spray booth, and therefore should be regulated.

Share documents as you find them.

A late addition from Jim: a parent directory which includes all the EPA documents dealing with Urban Toxics (many of which are no longer linked, but are very informative):

<http://www.epa.gov/ttn/atw/urban/>

9. Outdoor wood stoves (report attached) – Jim Coyle

NY is finding many new outdoor wood stoves popping up. They are bigger than the units regulated by the NSPS for wood stoves. They can hold up to a face-cord of wood and don't need reloading for nearly a day. Flyers on them are saying they meet all EPA standards, which is true because there are none that apply.

In the NSPS, anything over 20 cu. ft. was exempt. These units are all showing up just over 20 cf. The emissions are much worse than smaller wood stoves. Cost around \$8,000-10,000.

VT is proposing a rule to regulate these. It might be more efficient to get a change to the NSPS. Jim will try to contact the EPA rule writer for the wood stove NSPS. He'll update the group on any progress.

Tony – make sure they don't pull in wood gasifiers when increasing size of furnace. Process is much cleaner than normal furnaces.

10. Other items?

Folks wanted to get another meeting on the calendar. Next meeting scheduled tentatively for December 8th at 1 pm eastern.

Adjourned ~12:30 pm Eastern