
TITLE 326 AIR POLLUTION CONTROL DIVISION**Proposed Rule**
LSA Document #18-542**DIGEST**

Amends [326 IAC 8-3-1](#), [326 IAC 8-3-2](#), [326 IAC 8-3-3](#), [326 IAC 8-3-4](#), and [326 IAC 8-3-8](#), concerning cold cleaning degreasing and the addition of a control device option to comply with the requirement to use a low vapor pressure solvent. The proposed rule posted at [20200122-IR-326180542PRA](#) is being republished to include several comments that were unintentionally omitted during the second notice of comment period. Effective 30 days after filing with the Publisher.

HISTORY

First Notice of Comment Period: December 19, 2018, Indiana Register (DIN: [20181219-IR-326180542FNA](#)).

Second Notice of Comment Period: August 14, 2019, Indiana Register (DIN: [20190814-IR-326180542SNA](#)).

Notice of First Hearing: August 14, 2019, Indiana Register (DIN: [20190814-IR-326180542PHA](#)).

Change in Notice of Public Hearing: October 16, 2019, Indiana Register (DIN: [20191016-IR-326180542CHA](#)).

Date of First Hearing: January 8, 2020.

Proposed Rule: January 22, 2020, Indiana Register (DIN: [20200122-IR-326180542PRA](#)).

Notice of Second Hearing: January 22, 2020, Indiana Register (DIN: [20200122-IR-326180542PHA](#)).

Change in Notice of Public Hearing: April 8, 2020, Indiana Register (DIN: [20200408-IR-326180542CHA](#)).

Change in Notice of Public Hearing: September 9, 2020, Indiana Register (DIN: [20200909-IR-326180542CHA](#)).

Date of Second Hearing: November 18, 2020.

PUBLIC COMMENTS UNDER [IC 13-14-9-4.5](#)

[IC 13-14-9-4.5](#) states that a board may not adopt a rule under [IC 13-14-9](#) that is substantively different from the draft rule published under [IC 13-14-9-4](#), until the board has conducted a third comment period that is at least 21 days long. Because this proposed rule is not substantively different from the draft rule published on August 14, 2019, at DIN: [20190814-IR-326180542SNA](#), the Indiana Department of Environmental Management (IDEM) is not requesting additional comment on this proposed rule.

SUMMARY/RESPONSE TO COMMENTS FROM THE SECOND COMMENT PERIOD

IDEM requested public comment from August 14, 2019, through September 13, 2019, on IDEM's draft rule language. IDEM received comments from the following parties:

Dave Ellison, Printpack (DE)

Kay Haggard, Fort Wayne Metals Research Products Corporation (KH)

Ram Singhal, Environmental Strategy Flexible Packaging Association (RS)

Following is a summary of the comments received and IDEM's responses thereto:

Comment: Commenters noted that the draft rule language in [326 IAC 8-3-2\(b\)\(3\)](#) needs to be clarified to indicate that solvent spray being applied in a closed chamber is permitted and does not have to be a solid, fluid stream or applied at low pressure. Suggested changes to rule language are as follows:

"(3) If used, solvent spray must be:

(A) performed in an enclosed chamber; **or**

(B) **applied** as a solid, fluid stream at a pressure that does not cause excessive splashing." (DE, RS)

Response: IDEM agrees that modifying the draft rule language is necessary to indicate that the requirement for solvent spray being applied in a closed chamber is separate from the requirement that solvent spray must be a solid, fluid stream applied at a low pressure to avoid excessive splashing. IDEM has revised [326 IAC 8-3-2\(b\)\(3\)](#) to incorporate the suggested changes.

Comment: Commenters identified an issue with the draft rule language at [326 IAC 8-3-8\(b\)\(1\)](#) that does not properly clarify the distinction that it is the individual or business, rather than the seller, that must comply with subdivision (3).

The following change to the rule language was proposed:

"[326 IAC 8-3-8\(b\)\(1\)](#)

A person shall not cause or allow the sale of solvents for use in cold cleaner degreasing operations with a VOC composite partial vapor pressure, when diluted at the manufacturer's recommended blend and dilution, that exceeds one (1) millimeter of mercury (nineteen-thousandths (0.019) pound per square inch) measured at twenty (20) degrees Celsius (sixty-eight (68) degrees Fahrenheit) in an amount greater than five (5) gallons during any seven (7) consecutive days to an individual or business, except **if that individual or**

business is in compliance with subdivision (3)." (DE, RS)

Response: IDEM appreciates the suggestion of clarifying the draft rule language to distinguish between the two requirements and has updated [326 IAC 8-3-8\(b\)\(1\)](#) to reflect this change.

Comment: Commenters pointed out a potential typographical error in the draft rule language at [326 IAC 8-3-2\(b\)\(1\)\(E\)](#):

"The proposed rule amendments allowing VOC emission control equipment appear to reference the wrong citation- Section 8(b)(3), which is in fact listed in SECTION 5." (DE)

"FPA submits that there may be a typo in the proposed rule referring to the operation of VOC control equipment. It would appear that it should refer to [326 IAC 8-3-8\(b\)\(3\)](#), not section 8(b)(3)." (RS)

Response: IDEM appreciates the commenters' input as to the accuracy of the draft rule language. However, the citation reference is not an error. The section headings listed in the draft rule language that appear before the amended rule sections (i.e. Section 5. [326 IAC 8-3-8](#) is amended to read as follows:) are used as temporary section headings within the draft rule to indicate separation between one section amendment and the next. Once the amended rule language is adopted and incorporated into the full rule in the Indiana Administrative Code, the sections will retain their original numbering (i.e. Article 8, Rule 3, Section 8(b)(3)).

Additionally, the reference to section 8(b)(3) in the draft rule language is a stylized abbreviation that is required by the Legislative Services Agency, and is understood to mean the full citation at [326 IAC 8-3-8\(b\)\(3\)](#). Abbreviating the citation references within the amended sections helps to reduce unnecessary duplication and allows for smoother reading of the draft language.

Comment: Fort Wayne Metals Research Products Corp supports IDEM's proposed rule amendment at [326 IAC 8-3-1\(a\)\(1\)](#) exempting degreasers that emit less than 15 pounds per day. This rule change will reduce operating costs and increase degreasing operations. (KH)

Response: IDEM appreciates Fort Wayne Metals' comment and agrees that the exemption for degreasers with the potential to emit VOCs of equal to or less than 15 pounds per day will reduce the regulatory burden for sources that meet these requirements, thereby increasing the efficiency of degreasing operations and reducing operating costs.

IDEM continues to work with U.S. EPA to ensure that this applicability language, similar to language in rules for surrounding states, will be approved by U.S. EPA into the Indiana State Implementation Plan.

SUMMARY/RESPONSE TO COMMENTS RECEIVED AT THE FIRST PUBLIC HEARING

On January 8, 2020, the Environmental Rules Board (board) conducted the first public hearing/board meeting concerning the development of amendments to [326 IAC 8-3-1](#), [326 IAC 8-3-2](#), [326 IAC 8-3-3](#), [326 IAC 8-3-4](#), and [326 IAC 8-3-8](#). No comments were made at the first hearing.

SUMMARY/RESPONSE TO COMMENTS RECEIVED AT THE SECOND PUBLIC HEARING

On November 18, 2020, the Environmental Rules Board (board) conducted the second public hearing/board meeting concerning the development of amendments to [326 IAC 8-3-1](#), [326 IAC 8-3-2](#), [326 IAC 8-3-3](#), [326 IAC 8-3-4](#), and [326 IAC 8-3-8](#). No comments were made at the second hearing.

[326 IAC 8-3-1](#); [326 IAC 8-3-2](#); [326 IAC 8-3-3](#); [326 IAC 8-3-4](#); [326 IAC 8-3-8](#)

SECTION 1. [326 IAC 8-3-1](#) IS AMENDED TO READ AS FOLLOWS:

[326 IAC 8-3-1](#) Applicability and exemptions

Authority: [IC 13-14-8](#); [IC 13-17](#)

Affected: [IC 13-17-3](#)

Sec. 1. (a) This rule applies to the following:

- (1) Persons owning or operating degreasers **a degreaser** using solvents that contain one (1) or more volatile organic compounds (VOC), **with the potential to emit VOC emissions of greater than or equal to fifteen (15) pounds per day.**
- (2) Any person who sells, offers for sale, uses, or manufactures solvent that contains one (1) or more VOC for use in cold cleaner degreasers.

(b) For purposes of this section, "electronic components" means all components of an electronic assembly, including ~~but not limited to~~, the following:

- (1) Circuit board assemblies.
- (2) Printed wire assemblies.
- (3) Printed circuit boards.
- (4) Soldered joints.

- (5) Ground wires.
- (6) Bus bars.
- (7) Any other associated electronic component manufacturing equipment.

(c) Unless exempted in subsection (d), this rule applies to persons owning or operating degreasers as follows:

- (1) Sections 2(a), 3(a), and 4(a) of this rule apply to the following degreasers:
 - (A) Degreasers constructed on or before January 1, 1980, that are located:
 - (i) in Clark, Elkhart, Floyd, Lake, Marion, Porter, or St. Joseph County; and
 - (ii) at sources that have potential emissions of ninety and seven-tenths (90.7) megagrams (one hundred (100) tons) or greater per year of VOC.
 - (B) Degreasers constructed after January 1, 1980, located anywhere in the state.
- (2) Sections 2 through 4 of this rule apply to the following degreasers:
 - (A) Cold cleaner degreasers without remote solvent reservoirs that:
 - (i) are located in Clark, Elkhart, Floyd, Lake, Marion, Porter, or St. Joseph County; or
 - (ii) were constructed after July 1, 1990, and located anywhere in the state.
 - (B) Open top vapor degreasers with an air-to-solvent interface of one (1) square meter (ten and eight-tenths (10.8) square feet) or greater that:
 - (i) are located in Clark, Elkhart, Floyd, Lake, Marion, Porter, or St. Joseph County; or
 - (ii) were constructed after July 1, 1990, and located anywhere in the state.
 - (C) Conveyorized degreasers with an air-to-solvent interface of two (2) square meters (twenty-one and six-tenths (21.6) square feet) or greater that:
 - (i) are located in Clark, Elkhart, Floyd, Lake, Marion, Porter, or St. Joseph County; or
 - (ii) were constructed after July 1, 1990, and located anywhere in the state.
- (3) Section 8 of this rule applies to any person who sells, offers for sale, uses, or manufactures solvent for use in cold cleaner degreasers as follows:
 - (A) Before January 1, 2015, in the following counties:
 - (i) Clark.
 - (ii) Floyd.
 - (iii) Lake.
 - (iv) Porter.
 - (B) On and after January 1, 2015, anywhere in the state.

(d) The following degreasers and solvent material uses are ~~exempted~~ **exempt** from this rule:

- (1) Sections 2 through 4 of this rule do not apply to the following solvent degreasing operations:
 - (A) Degreasers that are required to comply with and are operated in compliance with [326 IAC 20-6-1](#) that incorporates by reference 40 CFR 63, Subpart T*, National Emissions Standards for Hazardous Air Pollutants for Halogenated Solvent Cleaning.
 - (B) Degreasers that use solvents that contain less than one percent (1%) of VOC by weight.
- (2) Section 8 of this rule does not apply to the following:
 - (A) Solvents intended to be used in degreasers to clean electronic components.
 - (B) Solvents used in degreasers that are:
 - (i) required to comply with and are operated in compliance with the requirements of [326 IAC 20-15-1](#), which incorporates by reference 40 CFR 63, Subpart GG*, National Emission Standards for Aerospace Manufacturing and Rework Facilities; and
 - (ii) not located in Clark, Floyd, Lake, or Porter County.
 - (C) Solvents containing less than one percent (1%) VOC by weight used in degreasers that are not located in Clark, Floyd, Lake, or Porter County.
- (3) Sections 2 and 8 of this rule do not apply to spray gun cleaners, provided that the following conditions are met:**
 - (A) The spray gun cleaner is not used to clean parts.**
 - (B) The spray gun cleaner is a flushing and cleaning system that:**
 - (i) has solvent pumped through or on the spray gun and spray gun components to flush out and clean off remaining coating;**
 - (ii) has solvent recirculated within the cleaner and any associated solvent storage tank; or**
 - (iii) uses nonatomized spray for flushing and cleaning lines and spray guns that are:**
 - (AA) connected to a container of solvent; and**
 - (BB) sprayed, are drained, or flow into a container that is covered or closed when not in use.**
 - (C) The spray gun and spray gun components are not immersed in solvent.**

(e) When a limit is expressed in metric units and the English units are provided, the owner or operator has the

option of using either metric or English units to demonstrate compliance with the rule.

*These documents are incorporated by reference. Copies may be obtained from the Government Printing Office, 732 North Capitol Street NW, Washington, D.C. 20404 www.gpo.gov, or are available for review and copying at the Indiana Department of Environmental Management, Office of Air Quality, Legal Counsel, Indiana Government Center North, Tenth Floor, 100 North Senate Avenue, Thirteenth Floor, Indianapolis, Indiana 46204.

(Air Pollution Control Division; [326 IAC 8-3-1](#); filed Mar 10, 1988, 1:20 p.m.: 11 IR 2537; filed Apr 18, 1990, 4:55 p.m.: 13 IR 1679; filed Apr 27, 1999, 9:06 a.m.: 22 IR 2854; readopted filed Jan 10, 2001, 3:20 p.m.: 24 IR 1477; filed Jan 30, 2013, 12:33 p.m.: [20130227-IR-326070352FRA](#))

SECTION 2. [326 IAC 8-3-2](#) IS AMENDED TO READ AS FOLLOWS:

[326 IAC 8-3-2](#) Cold cleaner degreaser control equipment and operating requirements

Authority: [IC 13-14-8](#); [IC 13-17-3-4](#); [IC 13-17-3-11](#); [IC 13-17-3-12](#)

Affected: [IC 13-17-3](#)

Sec. 2. (a) The owner or operator of a cold cleaner degreaser shall ~~ensure~~ **comply with** the following control equipment and operating requirements: ~~are met:~~

- (1) Equip the degreaser with a cover.
- (2) Equip the degreaser with a device for draining cleaned parts.
- (3) Close the degreaser cover whenever parts are not being handled in the degreaser.
- (4) Drain cleaned parts for at least fifteen (15) seconds or until dripping ceases.
- (5) Provide a permanent, conspicuous label that lists the operating requirements in subdivisions (3), (4), (6), and (7).
- (6) Store waste solvent only in closed containers.
- (7) Prohibit the disposal or transfer of waste solvent in ~~such~~ a manner that ~~could~~ **would** allow greater than twenty percent (20%) of the waste solvent by weight to evaporate into the atmosphere.

(b) The owner or operator of a cold cleaner degreaser subject to this subsection shall ~~ensure~~ **comply with** the following additional control equipment and operating requirements: ~~are met:~~

- (1) Equip the degreaser with one (1) of the following control devices if the solvent is heated to a temperature of greater than forty-eight and nine-tenths (48.9) degrees Celsius (one hundred twenty (120) degrees Fahrenheit):
 - (A) A freeboard that attains a freeboard ratio of seventy-five hundredths (0.75) or greater.
 - (B) A water cover when solvent used is insoluble in, and heavier than, water.
 - (C) A refrigerated chiller.
 - (D) Carbon adsorption.
 - (E) ~~An alternative system of demonstrated equivalent or better control as those outlined in clauses (A) through (D) that is approved by the department. An alternative system shall be submitted to the U.S. EPA as a SIP revision.~~ **VOC emission control equipment operated in accordance with section 8(b)(3) of this rule.**
- (2) Ensure the degreaser cover is designed so that it can be easily operated with one (1) hand if the solvent is agitated or heated.
- (3) If used, solvent spray **must be:**
 - (A) ~~must be~~ **performed in an enclosed chamber, with or without venting; or**
 - (B) a solid, fluid stream ~~and (B) shall be~~ applied at a pressure that does not cause excessive splashing.

(Air Pollution Control Division; [326 IAC 8-3-2](#); filed Mar 10, 1988, 1:20 p.m.: 11 IR 2537; readopted filed Jan 10, 2001, 3:20 p.m.: 24 IR 1477; filed Jan 30, 2013, 12:33 p.m.: [20130227-IR-326070352FRA](#))

SECTION 3. [326 IAC 8-3-3](#) IS AMENDED TO READ AS FOLLOWS:

[326 IAC 8-3-3](#) Open top vapor degreaser operation

Authority: [IC 13-14-8](#); [IC 13-17-3-4](#); [IC 13-17-3-11](#); [IC 13-17-3-12](#)

Affected: [IC 13-17-3](#)

Sec. 3. (a) The owner or operator of an open top vapor degreaser shall ensure **comply with** the following control equipment and operating requirements: ~~are met:~~

- (1) Equip the vapor degreaser with a cover that can be opened and closed easily without disturbing the vapor zone.
- (2) Keep the cover closed at all times except when processing workloads through the degreaser.
- (3) Minimize solvent carryout by:
 - (A) racking parts to allow complete drainage;
 - (B) moving parts in and out of the degreaser at less than three and three-tenths (3.3) meters per minute (eleven (11) feet per minute);
 - (C) degreasing the workload in the vapor zone at least thirty (30) seconds or until condensation ceases;
 - (D) tipping out any pools of solvent on the cleaned parts before removal; and
 - (E) allowing parts to dry within the degreaser for at least fifteen (15) seconds or until visually dry.
- (4) Prohibit the entrance into the degreaser of porous or absorbent materials, such as cloth, leather, wood, or rope.
- (5) Prohibit occupation of more than one-half (1/2) of the degreaser's open top area with the workload.
- (6) Prohibit the loading of the degreaser in a manner that causes the vapor level to drop more than fifty percent (50%) of the vapor depth when the workload is removed.
- (7) Prohibit solvent spraying above the vapor level.
- (8) Repair solvent leaks immediately, or shut down the degreaser if leaks cannot be repaired immediately.
- (9) Store waste solvent only in closed containers.
- (10) Prohibit the disposal or transfer of waste solvent in a manner that ~~could~~ **would** allow greater than twenty percent (20%) of the waste solvent by weight to evaporate into the atmosphere.
- (11) Prohibit the use of workplace fans near the degreaser opening.
- (12) Prohibit visually detectable water in the solvent exiting the water separator.
- (13) Provide the degreaser with a permanent, conspicuous label that lists the operating requirements in subdivisions (2) through (12).

(b) The owner or operator of an open top vapor degreaser subject to this subsection shall ensure **comply with** the following additional control equipment and operating requirements: ~~are met:~~

- (1) Equip the degreaser with the following switches:
 - (A) A condenser flow switch and thermostat that shuts off sump heat if condenser coolant stops circulating or becomes too warm.
 - (B) A spray safety switch that shuts off spray pump if the vapor level drops more than ten (10) centimeters (four (4) inches).
- (2) Equip the degreaser with one (1) of the following control devices:
 - (A) A freeboard ratio of seventy-five hundredths (0.75) or greater and a powered cover if the degreaser opening is greater than one (1) square meter (ten and eight-tenths (10.8) square feet).
 - (B) A refrigerated chiller.
 - (C) An enclosed design in which the cover opens only when the article is actually entering or exiting the degreaser.
 - (D) A carbon adsorption system with ventilation that, with the cover open, achieves:
 - (i) a ventilation rate of greater than or equal to fifteen (15) cubic meters per minute per square meter (fifty (50) cubic feet per minute per square foot) of air-to-vapor interface area; and
 - (ii) an average of less than twenty-five (25) parts per million of solvent is exhausted over one (1) complete adsorption cycle.
 - (E) ~~An alternative system of demonstrated equivalent or better control as those outlined in clauses (A) through (D) that is approved by the department. An alternative system shall be submitted to the U.S. EPA as a SIP revision.~~ **VOC emission control equipment that complies with the following:**
 - (i) **A capture efficiency of at least ninety percent (90%) by weight for the VOC emissions.**
 - (ii) **Either:**
 - (AA) **a destruction efficiency of at least ninety percent (90%), by weight; or**
 - (BB) **an outlet concentration of less than fifty (50) parts per million, by volume, dry basis, for the VOC emissions.**
 - (iii) **Compliance with the test methods and procedures in [326 IAC 8-1-4\(d\)](#) through [326 IAC 8-1-4\(f\)](#).**
- (3) Prohibit the loading of the degreaser to the point where the vapor level would drop more than ten (10) centimeters (four (4) inches) when the workload is removed.
- (4) Prohibit the exhaust ventilation rate from exceeding twenty (20) cubic meters per minute per square meter (sixty-five (65) cubic feet per minute per square foot) of degreaser open area unless a greater ventilation rate is necessary to meet Occupational Safety and Health Administration requirements.
- (5) Ensure that the label required under subsection (a)(13) includes the additional operating requirements

listed in subdivisions (3) and (4).

(Air Pollution Control Division; [326 IAC 8-3-3](#); filed Mar 10, 1988, 1:20 p.m.: 11 IR 2537; readopted filed Jan 10, 2001, 3:20 p.m.: 24 IR 1477; filed Jan 30, 2013, 12:33 p.m.: [20130227-IR-326070352FRA](#))

SECTION 4. [326 IAC 8-3-4](#) IS AMENDED TO READ AS FOLLOWS:

[326 IAC 8-3-4](#) Conveyorized degreaser control equipment and operating requirements

Authority: [IC 13-14-8](#); [IC 13-17-3-4](#); [IC 13-17-3-11](#); [IC 13-17-3-12](#)

Affected: [IC 13-17-3](#)

Sec. 4. (a) The owner or operator of a conveyorized degreaser shall ~~ensure~~ **comply with** the following control equipment and operating requirements: ~~have been met:~~

- (1) Minimize carryout emissions by:
 - (A) racking parts for optimal drainage; and
 - (B) maintaining the vertical conveyor speed at less than three and three-tenths (3.3) meters per minute (eleven (11) feet per minute).
- (2) Store waste solvent only in closed containers.
- (3) Prohibit the disposal or transfer of waste solvent in a manner that ~~could~~ **would** allow greater than twenty percent (20%) of the waste solvent by weight to evaporate into the atmosphere.
- (4) Repair solvent leaks immediately, or shut down the degreaser if leaks cannot be repaired immediately.
- (5) Prohibit the use of workplace fans near the degreaser opening.
- (6) Prohibit visually detectable water in the solvent from exiting the water separator.
- (7) Equip the degreaser with a permanent, conspicuous label that lists the operating requirements in subdivisions (1) through (6).

(b) The owner or operator of a conveyorized degreaser subject to this subsection shall ~~ensure~~ **comply with** the following control equipment and operating requirements: ~~are met:~~

- (1) Equip the degreaser's entrances and exits with downtime covers that are closed when the degreaser is not operating.
- (2) Equip the degreaser with the following switches:
 - (A) A condenser flow switch and thermostat that shuts off sump heat if condenser coolant stops circulating or becomes too warm.
 - (B) A spray safety switch that shuts off spray pump if the vapor level drops more than ten (10) centimeters (four (4) inches).
 - (C) A vapor level control thermostat that shuts off sump heat when vapor level rises more than ten (10) centimeters (four (4) inches).
- (3) Equip the degreaser with entrances and exits that silhouette workloads in ~~such~~ a manner that the average clearance between the articles and the degreaser opening is either less than:
 - (A) ten (10) centimeters (four (4) inches); or ~~less than~~
 - (B) ten percent (10%) of the width of the opening.
- (4) Equip the degreaser with a drying tunnel, rotating or tumbling basket, or other equipment that prevents cleaned articles from carrying out solvent liquid or vapor.
- (5) Equip the degreaser with one (1) of the following control devices:
 - (A) A refrigerated chiller.
 - (B) A carbon adsorption system with ventilation that, with the downtime covers open, achieves:
 - (i) a ventilation rate of greater than or equal to fifteen (15) cubic meters per minute per square meter (fifty (50) cubic feet per minute per square foot) of air-to-solvent interface area; and
 - (ii) an average of less than twenty-five (25) parts per million of solvent is exhausted over one (1) complete adsorption cycle.
 - (C) ~~An alternative system of demonstrated equivalent or better control as those outlined in clause (A) or (B) that is approved by the department. An alternative system shall be submitted to the U.S. EPA as a SIP revision.~~ **VOC emission control equipment that complies with the following:**
 - (i) **A capture efficiency of at least ninety percent (90%) by weight for the VOC emissions.**
 - (ii) **Either:**
 - (AA) **a destruction efficiency of at least ninety percent (90%), by weight; or**
 - (BB) **an outlet concentration of less than fifty (50) parts per million, by volume, dry basis, for the VOC emissions.**
 - (iii) **Compliance with the test methods and procedures in [326 IAC 8-1-4\(d\)](#) through [326 IAC 8-1-4\(f\)](#).**

- (6) Prohibit the exhaust ventilation rate from exceeding twenty (20) cubic meters per minute per square meter (sixty-five (65) cubic feet per minute per square foot) of degreaser opening unless a greater ventilation rate is necessary to meet Occupational Safety and Health Administration requirements.
- (7) Cover entrances and exits at all times except when processing workloads through the degreaser.
- (8) Ensure that the label required under subsection (a)(7) includes the additional operating requirements listed in subdivisions (6) and (7).

(Air Pollution Control Division; [326 IAC 8-3-4](#); filed Mar 10, 1988, 1:20 p.m.: 11 IR 2537; readopted filed Jan 10, 2001, 3:20 p.m.: 24 IR 1477; filed Jan 30, 2013, 12:33 p.m.: [20130227-IR-326070352FRA](#))

SECTION 5. [326 IAC 8-3-8](#) IS AMENDED TO READ AS FOLLOWS:

[326 IAC 8-3-8](#) Material requirements for cold cleaner degreasers

Authority: [IC 13-14-8](#); [IC 13-17-3-4](#); [IC 13-17-3-11](#); [IC 13-17-3-12](#)

Affected: [IC 13-17-3](#)

Sec. 8. (a) Material requirements specified in this section for use in cold cleaner degreasers apply as follows:

- (1) Before January 1, 2015, in Clark, Floyd, Lake, and Porter counties.
- (2) On and after January 1, 2015, anywhere in the state.

(b) Material requirements are as follows:

- (1) ~~Ne A~~ **A person shall not** cause or allow the sale of solvents for use in cold cleaner degreasing operations with a VOC composite partial vapor pressure, when diluted at the manufacturer's recommended blend and dilution, that exceeds one (1) millimeter of mercury (nineteen-thousandths (0.019) pound per square inch) measured at twenty (20) degrees Celsius (sixty-eight (68) degrees Fahrenheit) in an amount greater than five (5) gallons during any seven (7) consecutive days to an individual or business, **except if that individual or business is in compliance with subdivision (3).**
- (2) ~~Ne A~~ **A person shall not** operate a cold cleaner degreaser with a solvent that has a VOC composite partial vapor pressure that exceeds one (1) millimeter of mercury (nineteen-thousandths (0.019) pound per square inch) measured at twenty (20) degrees Celsius (sixty-eight (68) degrees Fahrenheit), **except in compliance with subdivision (3).**
- (3) **As an alternative to compliance with subdivisions (1) and (2), the owner or operator of a degreaser may install and operate VOC emission control equipment for a cold cleaner degreaser that meets the following:**
 - (A) **A capture efficiency of at least ninety percent (90%) by weight for the VOC emissions.**
 - (B) **Either:**
 - (i) **a destruction efficiency of at least ninety percent (90%), by weight; or**
 - (ii) **an outlet concentration of less than fifty (50) parts per million, by volume, dry basis, for the VOC emissions.**
 - (C) **Test methods and procedures in [326 IAC 8-1-4\(d\)](#) through [326 IAC 8-1-4\(f\)](#).**

(c) Record keeping requirements are as follows:

- (1) ~~All persons~~ **A person** subject to the requirements of subsection (b)(1) shall maintain all of the following records for each sale:
 - (A) The name and address of the solvent purchaser.
 - (B) The date of sale, ~~for invoice, bill date~~ **or billing of the contract servicer indicating the service date.**
 - (C) The type of solvent sold.
 - (D) The volume of each unit of solvent sold.
 - (E) The total volume of the solvent sold.
 - (F) The true vapor pressure of the solvent measured in millimeters of mercury at twenty (20) degrees Celsius (sixty-eight (68) degrees Fahrenheit).
- (2) ~~All persons~~ **A person** subject to the requirements of subsection (b)(2) shall maintain each of the following records for each purchase:
 - (A) The name and address of the solvent supplier.
 - (B) The date of purchase, ~~for invoice, bill date~~ **or billing of the contract servicer indicating the service date.**
 - (C) The type of solvent purchased.
 - (D) The total volume of the solvent purchased.
 - (E) The true vapor pressure of the solvent measured in millimeters of mercury at twenty (20) degrees Celsius (sixty-eight (68) degrees Fahrenheit).

(3) A person subject to the requirements of subsection (b)(3) shall:

(A) comply with the monitoring equipment requirements in [326 IAC 8-1-12\(b\)\(2\)](#); and

(B) collect and record the control device monitoring data in [326 IAC 8-1-12\(c\)\(6\)](#) through [326 IAC 8-1-12\(c\)\(8\)](#) each day of operation of the solvent cleaning operation and control device.

(d) All records required by subsection (c) shall **must** be:

(1) retained on-site or accessible electronically from the site for the most recent three (3) year period; and

(2) reasonably accessible for an additional two (2) year period.

(Air Pollution Control Division; [326 IAC 8-3-8](#); filed Apr 27, 1999, 9:06 a.m.: 22 IR 2854; readopted filed Jan 10, 2001, 3:20 p.m.: 24 IR 1477; filed Jan 30, 2013, 12:33 p.m.: [20130227-IR-326070352FRA](#))

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