

Final Rule

LSA Document #22-231(F)

DIGEST

Amends [326 IAC 8-3-1](#) concerning an exemption from applicability of the rule based on an emission level of fewer than fifteen (15) pounds per day of volatile organic compounds (VOC) from organic solvent degreasing operations. Effective 30 days after filing with the Publisher.

HISTORY

Findings and Determination of the Commissioner Pursuant to [IC 13-14-9-8](#): July 13, 2022, Indiana Register (DIN: [20220713-IR-326220231FDA](#)).

Notice of First Hearing: July 13, 2022, Indiana Register (DIN: [20220713-IR-326220231PHA](#)).

Date of First Hearing: September 14, 2022.

[326 IAC 8-3-1](#)

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 13-17-3-4](#); [IC 13-17-3-11](#)

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

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

(1) ~~Persons~~ **A person** owning or operating 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~~ **A** person who:

(A) sells;

(B) offers for sale;

(C) uses; or

(D) 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 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~~ **a person** 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 **the counties of:**

(AA) Clark;

(BB) Elkhart;

(CC) Floyd;

(DD) Lake;

(EE) Marion;

(FF) Porter; or

(GG) 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 **the counties of:**
 - (AA) Clark;
 - (BB) Elkhart;
 - (CC) Floyd;
 - (DD) Lake;
 - (EE) Marion;
 - (FF) Porter; or
 - (GG) 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 **the counties of:**
 - (AA) Clark;
 - (BB) Elkhart;
 - (CC) Floyd;
 - (DD) Lake;
 - (EE) Marion;
 - (FF) Porter; or
 - (GG) 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~~ a 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~~ or after January 1, 2015, anywhere in the state.
- (d) ~~The following~~ Degreasers and solvent material uses are exempt from this rule **as follows:**
 - (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 **counties other than** 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 **counties other than** 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 Publishing Office, www.gpo.gov, or are available for review at the Indiana Department of Environmental Management, Office of Legal Counsel, Indiana Government Center North, 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](#); filed May 11, 2021, 11:22 a.m.: [20210609-IR-326180542FRA](#); filed Dec 5, 2022, 9:42 a.m.: [20230104-IR-326220231FRA](#))

LSA Document #22-231(F)

Findings and Determination of the Commissioner Pursuant to [IC 13-14-9-8](#): [20220713-IR-326220231FDA](#)

Hearing Held: September 14, 2022

Approved by Attorney General: November 28, 2022

Approved by Governor: November 30, 2022

Filed with Publisher: December 5, 2022, 9:42 a.m.

Documents Incorporated by Reference: None received by Publisher

Small Business Regulatory Coordinator: Kari Clevenger, IDEM Small Business Regulatory Coordinator/CTAP

Small Business Liaison, IGCN 1316, 100 North Senate Avenue, Indianapolis, IN 46204-2251, (317) 233-0572 or (800) 988-7901, ctap@idem.in.gov

Small Business Assistance Program Ombudsman: Drake Abramson, IDEM Small Business Assistance Program Ombudsman/Business, Agricultural, and Legislative Liaison, IGCN 1301, 100 North Senate Avenue, Indianapolis, IN 46204-2251, (317) 232-8921 or (800) 451-6027, dabramso@idem.in.gov

Posted: 01/04/2023 by Legislative Services Agency

An [html](#) version of this document.