

**TITLE 252. DEPARTMENT OF ENVIRONMENTAL QUALITY
CHAPTER 100. AIR POLLUTION CONTROL**

Before the Air Quality Advisory Council on June 20, 2018; October 10, 2018;
January 16, 2019; and June 19, 2019
Before the Environmental Quality Board on February 15, 2019 and September 10, 2019

RULE IMPACT STATEMENT

Subchapter 37. CONTROL OF EMISSION OF VOLATILE ORGANIC COMPOUNDS (VOCs)

Part 5. Control of VOCs in Coating Operations

252:100-37-27. [NEW]

Subchapter 39. EMISSION OF VOLATILE ORGANIC COMPOUNDS (VOCs) IN NONATTAINMENT AREAS AND FORMER NONATTAINMENT AREAS

Part 7. Specific Operations

252:100-39-47. [AMENDED]

Appendix N. Specialty Coatings VOC Content Limits [REVOKED]

Appendix N. Specialty Coatings VOC Content Limits [NEW]

1. **DESCRIPTION:** The Department is proposing a new statewide rule for aerospace coating operations, an amendment to the current aerospace coating rule for Tulsa County, and an updated Appendix N for Specialty Coatings VOC Content Limits. The gist of this rule proposal is to provide the aerospace industry with updated requirements that better reflect current aerospace industry coating formulations and practices, and to make those rules applicable statewide.
2. **CLASSES OF PERSONS AFFECTED:** The classes of persons affected are the owners and operators of aerospace manufacturing, rework, or repair facilities that perform aerospace vehicle and component coating operations.
3. **CLASSES OF PERSONS WHO WILL BEAR COSTS:** The classes of persons who will bear costs are the owners and operators of aerospace manufacturing, rework, or repair facilities that perform aerospace vehicle and component coating operations.
4. **INFORMATION ON COST IMPACTS FROM PUBLIC/PRIVATE ENTITIES:** The Department has not received any information on cost impacts as of this date.
5. **CLASSES OF PERSONS BENEFITTED:** The classes of persons who would benefit from this rule are the owners and operators of aerospace manufacturing, rework, or repair facilities that perform aerospace vehicle and component coating operations. The new rule would create consistency among federal rules, statewide rules, and rules specific to Tulsa County, making it easier for impacted facilities to comply with each.
6. **PROBABLE ECONOMIC IMPACT ON AFFECTED CLASSES OF PERSONS:** The Department expects little to no economic impact on the affected classes of persons from this rule proposal.

7. **PROBABLE ECONOMIC IMPACT ON POLITICAL SUBDIVISIONS:** The Department does not foresee any economic impact on political subdivisions due to this rule proposal.
8. **POTENTIAL ADVERSE EFFECT ON SMALL BUSINESS:** The Department anticipates no adverse effect on small business from this rule proposal.
9. **LISTING OF ALL FEE CHANGES, INCLUDING A SEPARATE JUSTIFICATION FOR EACH FEE CHANGE:** There are no fee changes associated with this rule proposal.
10. **PROBABLE COSTS AND BENEFITS TO DEQ TO IMPLEMENT AND ENFORCE:** There will be no additional costs to the Department to implement and enforce this rule proposal. The Department will benefit from consistency of rules when permitting affected facilities.
11. **PROBABLE COSTS AND BENEFITS TO OTHER AGENCIES TO IMPLEMENT AND ENFORCE:** There will be no other agencies implementing or enforcing this rule.
12. **SOURCE OF REVENUE TO BE USED TO IMPLEMENT AND ENFORCE RULE:** Implementation and enforcement of this rule will continue to be funded by fees and federal grants.
13. **PROJECTED NET LOSS OR GAIN IN REVENUES FOR DEQ AND/OR OTHER AGENCIES, IF IT CAN BE PROJECTED:** The Department does not anticipate any loss or gain in revenue from this rule proposal.
14. **COOPERATION OF POLITICAL SUBDIVISIONS REQUIRED TO IMPLEMENT OR ENFORCE RULE:** Implementation and enforcement of this rule would be handled solely by the Department, and no cooperation by other political subdivisions would be required.
15. **EXPLANATION OF THE MEASURES THE DEQ TOOK TO MINIMIZE COMPLIANCE COSTS:** The Department formed a workgroup consisting of affected industry professionals to gather insight of possible costs associated with this rule proposal. The workgroup did not share any concerns regarding compliance costs.
16. **DETERMINATION OF WHETHER THERE ARE LESS COSTLY OR NONREGULATORY OR LESS INTRUSIVE METHODS OF ACHIEVING THE PURPOSE OF THE PROPOSED RULE:** The Department has determined this method to be the least intrusive and least costly for each category of affected facility to achieve the purpose of the proposed rule.
17. **DETERMINATION OF THE EFFECT ON PUBLIC HEALTH, SAFETY AND ENVIRONMENT:** The Department has determined this rule proposal would have little to no effect on public health, safety and environment.

18. **IF THE PROPOSED RULE IS DESIGNED TO REDUCE SIGNIFICANT RISKS TO THE PUBLIC HEALTH, SAFETY AND ENVIRONMENT, EXPLANATION OF THE NATURE OF THE RISK AND TO WHAT EXTENT THE PROPOSED RULE WILL REDUCE THE RISK:** This proposed rulemaking is not intended to reduce significant risks to public health, safety and environment.
19. **DETERMINATION OF ANY DETRIMENTAL EFFECT ON THE PUBLIC HEALTH, SAFETY AND ENVIRONMENT IF THE PROPOSED RULE IS NOT IMPLEMENTED:** The proposed rulemaking would not have any detrimental effect on public health, safety or environment if it was not implemented. Regulatory requirements for subject facilities are already in place.
20. **PROBABLE QUANTITATIVE AND QUALITATIVE IMPACT ON BUSINESS ENTITIES (INCLUDE QUANTIFIABLE DATA WHERE POSSIBLE):** The Department anticipates a positive impact on business entities that own or operate facilities that may be impacted.

THIS RULE IMPACT STATEMENT WAS PREPARED ON: April 24, 2018

MODIFIED ON: August 28, 2018, November 26, 2018, and May 8, 2019