



September 26, 2011

Alex Ryan-Bond  
Ozone Transport Commission  
444 North Capitol Street, NW  
Suite 638  
Washington, DC 20001

**Re: Comments on the Ozone Transport Commission (OTC) Draft Model Rule for Solvent Degreasing (ver 2A 081711)**

Dear Mr. Ryan-Bond:

Safety-Kleen Systems, Inc. appreciates the opportunity to provide additional comments on the Ozone Transport Commission (OTC) Draft Model Rule for Solvent Degreasing (ver 2A 081711).

- I. Section 2.0 (ee) provides three different options for the definition of a “Volatile Organic Compound”:

**OPTION 1:** Develop a state specific definition

**OPTION 2:** Reference federal list at 40 CFR 51.100 (s)

**OPTION 3:** Reference CARB

Industry is already confronted with a complex matrix of ever changing and region specific regulations that they must stay on top of in order to remain in compliance. To help prevent further complexity and promote uniformity across all states adopting these regulations, Safety-Kleen is suggesting that the rule reference a single definition; preferably, the Federal definition codified in 40 CFR § 51.100(s).

A perfect example of why definition consistency is so important - Safety-Kleen recently worked with Jim Karas, Air Quality Engineering Manager, with California’s Bay Area Air Quality Management District (BAAQMD) on resolving a business impacting issue associated with their definition of a VOC. Safety-Kleen supplies some of its customers with QSOL 300 solvent; a completely methylated siloxane (VMS) that is classified as exempt (i.e., non-photochemically reactive). Due to ambiguities/inconsistencies within BAAQMD’s definitions/regulations, our customers are required to obtain air permits even though they are using an exempt solvent. BAAQMD now realizes their oversight and will work on correcting. In the meantime, however, industry continues to be burdened with unnecessary costs associated with having to obtain air permits until the updated regulation is published.

- II. Section 3.0 (a)(4) permits the use of a cleaning solution containing greater than 25 g/L, provided “*an approved VOC capture and control device that controls VOC air emissions to no more than would be experienced if the cleaning solution were VOC compliant in absence of the capture/control device*”. Safety-Kleen suggests that verbiage be added that a capture and control device is not mandatory, provided the user can demonstrate VOC emissions don’t exceed rule determined thresholds.





- III. One of the cleaning solutions Safety-Kleen offers as an option to its customers (Safety-Kleen Premium Solvent) meets the definition of a “Low Volatility Solvent” provided in section 2.0 (w). Section 4.0 (c) goes on to state that if one uses a *low volatility solvent* in a remote reservoir cold cleaner, one is not required to minimize emissions by closing the lid of the unit when the equipment is not being used.

Is the rule insinuating that “low volatility solvents” are exempt and don’t need to meet the 25 g/L requirement?

- IV. As currently written, the rule doesn’t include an exemption for the use of de minimus volumes of cleaning solutions that contain VOC concentrations in excess of 25 g/L. Both South Coast Air Quality Management District (SCAQMD) Rule 1122 and Santa Barbara County Air Pollution Control District Rule 321, however, do have such provisions; as do many other air quality management districts within California.

Safety-Kleen requests that a de minimus volume exemption be included in OTC’s Model Rule. Specifically, the Model Rule should not apply to cold cleaning equipment filled with  $\leq 8$  gallons of “low volatility solvent” (i.e., solvent with an initial boiling point that is greater than 248°F and with a temperature, as used, at least 212°F below the initial boiling point). Such an exemption will still support OTC’s goals of meeting National Ambient Air Quality Standards (NAAQS) for ground level ozone; and will assist small business owners facing a significant increase in operating costs if required to scrap/trade-in existing equipment and purchase/lease equipment designed for use with aqueous based chemistries.

As previously discussed on conference calls, parts cleaning equipment designed for use with petroleum based solvent is not compatible with aqueous cleaning solutions. Owning and operating equipment designed for aqueous solutions costs the end user approximately 150% more than a similar unit designed for petroleum cleaning solutions.

- Increased Equipment Costs
  - Constructed out of stainless steel to prevent corrosion
  - Heater module required
  - Corrosion resistant pump required
- Increased Operating Costs
  - Increased electrical costs
  - Increased waste management costs
    - Unlike low volatility solvent that can be recycled and returned back to the end user indefinitely (i.e., closed loop recycling), spent aqueous solutions are single use and must be disposed of properly. These spent solutions could contain oil and/or other regulated constituents, making them regulated hazardous wastes that must be managed by a licensed waste management company at a significantly higher cost.

- V. Many businesses using parts cleaning equipment are small business owners lacking expertise in how to properly characterize and manage spent cleaning solutions. Depending on the process generating the waste, these spent solutions could contain oil and/or other regulated constituents. As the majority of the market will be switching to aqueous based chemistries when this rule is promulgated, Safety-Kleen suggests that the rule contain language that educates industry on proper waste characterization and management requirements; as well as, the legal and financial penalties associated with the mismanagement of these wastes.

In addition, Safety-Kleen suggests that the OTC evaluate unintended negative impacts to the environment a year or two post rule adoption. For example, is industry properly characterizing and managing their spent aqueous cleaning solutions,





are POTWs being negatively impacted by oily water solutions that are being dumped down the drain, is there an increase in the use of aerosol solvent sprays to pre-treat parts, etc.

If you have any questions concerning our comments or require clarification, please contact me at (847)486-6766.

Sincerely,

A handwritten signature in black ink that reads "Rick Haskins".

Rick Haskins  
Director Technical Services

Cc: Billy R. Ross, P.E.  
Vice President of EHS  
Safety-Kleen Systems, Inc.

Mike Fusco  
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