State of California
AIR RESOURCES BOARD

Notice of Public Availability of Modified Text

PUBLIC HEARING TO CONSIDER THE ADOPTION OF AN AIRBORNE TOXIC
CONTROL MEASURE TO REDUCE EMISSIONS OF HEXAVALENT CHROMIUM AND
NICKEL FROM THERMAL SPRAYING

Public Hearing Date: December 9, 2004
Public Availability Date: March 18, 2005
Deadline for Public Comment: April 4, 2005

At a public hearing held on December 9, 2004, the California Air Resources Board (the
Board or ARB) considered adoption of a proposed Airborne Toxic Control Measure
(ATCM) to Reduce Emissions of Hexavalent Chromium and Nickel from Thermal
Spraying (“Thermal Spraying ATCM”: new section 93102.5, title 17, California Code of
Regulations (CCR)). The proposed ATCM is described in detail in the Initial Statement
of Reasons (ISOR) released to the public on October 22, 2004.

At the hearing, the Board approved the adoption of the Thermal Spraying ATCM, with
certain modifications to the originally proposed language. Following is a summary of
the more significant modifications:

- The definition for “inward face velocity” was modified.
- The definition for a “new thermal spraying operation” was revised to clarify that it
does not include the modification of an existing operation.
- Modifications were made to the standard for new thermal spraying operations
specified in subsection (e)(3)(A). The originally proposed language specified that
no person may operate a new thermal spraying operation unless it is located
outside of an area that is zoned for residential or mixed use and is located at
least 500 feet from the boundary of any area that is zoned for residential or
mixed use. The modified language provides that a new thermal spraying
operation shall be deemed to meet this standard if certain specified criteria are
met, even if the operation does not meet the standard at the time of initial startup
(e.g., in situations where the operation meets the standard when the authority to
construct is issued, but does not meet the standard at the time of initial startup
because of a zoning change that occurs after the authority to construct is issued).
- The monitoring requirements were modified to reduce the monitoring frequency
for pressure drop and face velocity and clarify that remotely located operations
are not required to monitor face velocity.
- The enclosure standards were modified to allow operators to open the booth
door while thermal spraying operations are conducted for the purposes of
equipment calibration or research and development activities.
- Various minor clarifications were made to the regulatory language.
By this notice, the modified regulation is being made available for public comment prior to final action by the Board's Executive Officer. Attached to this notice is Board Resolution 04-44 (Enclosure 1), which approves the regulatory action. The text of the modified regulatory language is appended to the Resolution as Enclosure 2. The modifications to the ARB staff's original proposal are shown in strike out to indicate deletions and underline to indicate additions. The regulatory documents for this rulemaking are available online at the following ARB internet site:

http://www.arb.ca.gov/regact/thermspr/thermalspr.htm

In accordance with section 11346.8 of the Government Code, the Board directed the Executive Officer to adopt section 93102.5, title 17, CCR, after making the modified regulatory language available for a supplemental written comment period of at least fifteen (15) days, provided that the Executive Officer considers such written comments as may be submitted during the period, makes such modifications as may be appropriate in light of the comments received, and presents the regulation to the Board for further consideration if she determines that this is warranted.

Written comments on the modifications approved by the Board may be submitted by postal mail, electronic mail, or facsimile as follows:

Postal Mail is to be sent to:
Clerk of the Board
Air Resources Board
1001 I Street, 23rd Floor
Sacramento, California 95814

Electronic mail is to be sent to: thermalspr@listserv.arb.ca.gov

Facsimile submissions are to be transmitted to: (916) 322-3928

In order to be considered by the Executive Officer, comments must be directed to the ARB in one of the three forms described above and received by the ARB by 5:00 p.m. on the deadline date for public comment listed at the beginning of this notice. Only comments relating to the above-described modifications to the text of the regulations shall be considered by the Executive Officer.

Enclosures (2)