

CR 94-218



George E. Meyer  
Secretary

**State of Wisconsin \ DEPARTMENT OF NATURAL RESOURCES**

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STATE OF WISCONSIN )  
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DEPARTMENT OF NATURAL RESOURCES ) SS

TO ALL TO WHOM THESE PRESENTS SHALL COME, GREETINGS:

I, George E. Meyer, Secretary of the Department of Natural Resources and custodian of the official records of said Department, do hereby certify that the annexed copy of Natural Resources Board Order No. AM-3-94 was duly approved and adopted by this Department on May 25, 1995. I further certify that said copy has been compared by me with the original on file in this Department and that the same is a true copy thereof, and of the whole of such original.



IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the official seal of the Department at the Natural Resources Building, in the City of Madison, this 19th day of July, 1995.

*George E. Meyer*  
George E. Meyer, Secretary

(SEAL)



9-1-95

ORDER OF THE STATE OF WISCONSIN  
NATURAL RESOURCES BOARD  
REPEALING AND RECREATING AND CREATING RULES



The Wisconsin Natural Resources Board adopts an order to **repeal and recreate** NR 422.132(1)(c); and to **create** NR 422.02(1e), (1m) and (28j) and 422.127 relating to the control of volatile organic compound emissions from the application of industrial source adhesives.

AM-3-94

Analysis Prepared by the Department of Natural Resources

Authorizing statutes: ss. 144.31(1)(a) and 227.11(2)(a), Stats.

Statutes interpreted: s. 144.31(1)(f), Stats. The State Implementation Plan developed under that provision is revised.

This proposed rule identifies RACT for the source category of industrial adhesives. As part of the Clean Air Act Amendments of 1990, states with ozone nonattainment areas are required to establish Reasonably Available Control Technology (RACT) for major stationary sources of volatile organic compounds (VOC). RACT is defined as the lowest emission rate that a source is capable of achieving, considering economic and technological feasibility. Industrial adhesives is a category with major sources in identified ozone nonattainment areas in Wisconsin.

The proposed rule is also part of the 15% VOC Reduction Plan, the second of three major State Implementation Plan (SIP) revisions required for the control of ozone in nonattainment areas of Wisconsin. The 15% Plan was required to be submitted to U.S. EPA by November 15, 1993.

At its February 1994 meeting, the Natural Resources Board adopted a resolution recommending that the Governor determine that this rule package and others in the 15% Plan are necessary to meet the percentage reduction requirements of the Clean Air Act. The Governor subsequently made such a determination.

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SECTION 1. In NR 422.02 as affected by Clearinghouse Rule 94-213, 422.02(1e), (1m) and (28j) are created to read:

NR 422.02(1e) "Adhesive" means any substance that is used to bond one surface to another surface by attachment.

(1m) "Adhesive primer" means a coating that is applied directly to a substrate in order to seal the substrate and to provide a bonding surface for an adhesive prior to the application of the adhesive.

(28j) "Office partitions" means partitions fabricated from honeycomb laminate or wood laminate which is placed inside a steel base support frame with a final outside covering of vinyl, cloth or laminate.

SECTION 2. NR 422.127 is created to read:

NR 422.127 USE OF ADHESIVES. (1) APPLICABILITY. This section applies to the use of

adhesives or adhesive primers on wood furniture, office partitions, or wood entry or passage doors process lines in any facility which is involved in the manufacturing of wood furniture, office partitions, or wood entry or passage doors. This section does not apply to either of the following:

(a) Furniture metal coating lines subject to s. NR 422.10.

(b) Miscellaneous metal parts and products coating lines subject to s. NR 422.15.

(2) EXEMPTIONS. The emission limitations in sub. (3) do not apply to any of the following:

(a) A facility which is located outside the counties of Kenosha, Kewaunee, Manitowoc, Milwaukee, Ozaukee, Racine, Sheboygan, Washington and Waukesha.

(b) A facility which has total emissions of VOCs from the use of adhesives and adhesive primers of less than 50 pounds per month when averaged over any 12 consecutive months.

(c) An emissions unit which never applies more than one pint of adhesives in a day.

(3) EMISSION LIMITATIONS. (a) After June 30, 1996, no owner or operator of a facility which is subject to this subsection may cause, allow or permit the use of any adhesive or adhesive primer unless it meets one of the following conditions:

1. The adhesive or adhesive primer has a solids content greater than or equal to 23% by weight, as applied.

2. The adhesive or adhesive primer does not result in the emission of any VOCs in excess of 0.54 kilogram per liter (4.5 pounds per gallon) of adhesive or adhesive primer, excluding water, delivered to an applicator that applies adhesive or adhesive primer.

(b) Subject to natural resources board approval, after May 1, 1999, no owner or operator of a facility which is subject to this subsection may cause, allow or permit the emission of any VOCs in excess of 0.54 kilogram per liter (4.5 pounds per gallon) of adhesive or adhesive primer, excluding water, delivered to an applicator that applies adhesive or adhesive primer.

(4) RECORDKEEPING REQUIREMENTS. (a) The owner or operator of any facility that is exempt under sub. (2)(b) shall collect and record the following information to support the exemption:

1. A unique name or identification number for each adhesive and adhesive primer used.

2. The VOC content of each adhesive and adhesive primer, as applied, in units of pounds per gallon, excluding water.

3. The volume of each adhesive and adhesive primer used per month, as applied, in units of gallons, excluding water.

4. The total VOC emissions from adhesives and adhesive primers used in units of pounds per month.

(b) The owner or operator of any facility that claims an exemption under sub. (2)(c) shall collect and record the volume of adhesives applied per day for each emissions unit for which an exemption is claimed.

(c) In addition to the applicable requirements in s. NR 439.04, the owner or operator of any facility subject to sub. (3) shall collect and record the following information, as applicable:

1. A unique name or identification number for each adhesive and adhesive primer used.

2. The VOC content of each adhesive and adhesive primer, as applied, in units of kilograms per liter (pounds per gallon), excluding water.

3. The percent solids by weight in each adhesive or adhesive primer, as applied.

(d) Records required under this subsection shall be maintained for a period of 5 years.

SECTION 3. NR 422.132(1)(c) is repealed and recreated to read:

NR 422.132(1)(c) Adhesives and adhesive primers subject to s. NR 422.127.

The foregoing rule was approved and adopted by the State of Wisconsin Natural Resources Board on May 25, 1995.

The rule shall take effect the first day of the month following publication in the Wisconsin administrative register as provided in s. 227.22(2)(intro.), Stats.

Dated at Madison, Wisconsin

July 19, 1995

STATE OF WISCONSIN  
DEPARTMENT OF NATURAL RESOURCES

By George E. Meyer  
George E. Meyer, Secretary

(SEAL)

