

REGULATION III – CONTROL OF AIR CONTAMINANTS

RULE 359 PLEASURE CRAFT MANUFACTURING AND REPAIR

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Adopted XX/XX/XX

**MARICOPA COUNTY
AIR POLLUTION CONTROL REGULATIONS**

REGULATION III – CONTROL OF AIR CONTAMINANTS

**RULE 359
PLEASURE CRAFT MANUFACTURING AND REPAIR**

SECTION 100 – GENERAL

- 101 PURPOSE:** To limit emissions of volatile organic compounds (VOCs) from the repair, modification, or manufacture of pleasure craft boats.
- 102 APPLICABILITY:** This rule is applicable to the manufacture of pleasure craft boats, including coatings, touch-up, repair and cleaning operations and the structures, parts and components, intended for them. In addition to this rule, facilities may be subject to New Source Performance Standards (NSPS) in Rule 360 and/or to National Emission Standards for Hazardous Air Pollutants (NESHAP) in Rule 370 of these rules.
- 103 TOTAL EXEMPTIONS:** The owner or operator claiming a total exemption for the following operations under Sections 302.1 and 302.2 shall document the amount of VOC containing materials used and keep records according to Section 501 of this rule to justify the exemption status.
- 103.1** Surface-coating which does not exceed either 15 lbs. VOC/day (6.8 kg/day) or 2.0 tons VOC/ year limit per 12 month rolling period, before consideration of controls and including related cleaning activities at the facility. However, any boat manufacture or repair operation that becomes subject to the provisions of Section 302 of this rule by exceeding either the daily or yearly threshold amount shall remain subject to these provisions even if daily or annual emissions later fall below the thresholds.
- 103.2** Aerosol coating products;
- 103.3** Powder coatings;
- 104 PARTIAL EXEMPTIONS:** The owner or operators applying the following processes shall be exempt from the following sections; however, they are subject to all other provisions of this rule as applicable.
- 104.1 Plastic Parts:** The following plastic parts coatings are exempt from Section 302.1 of this rule:

- a. Clear or translucent coatings;
- b. Coatings applied at a paint manufacturing facility while conducting performance tests on the coatings;
- c. Touch-up and repair coatings;
- d. Any coating category used in volumes less than 50 gallons in any one year, if substitute compliant coatings are not available, provided that the total usage of all such coatings does not exceed 200 gallons per year, per facility calculated on a 12-month rolling-average basis.

104.2 Metal Parts: The following metal part coatings are exempt from Section 302.1 and 302.2(a) of this rule:

- a. Electric-Insulating and Thermal-Conducting Coatings;
- b. Plastic extruded onto metal parts to form a coating.

104.3 Extreme High-Gloss Coatings (Topcoat): The owners or operators applying Extreme High-Gloss Coatings are exempt from the application methods listed in Section 302.2(a) of this rule.

105 CATEGORICAL EXEMPTION: This rule does not apply to the manufacture of products from or the use of polyester resin materials, including touch-up, repair and rework activities (Rule 356: Polyester Resin Operations).

SECTION 200 – DEFINITIONS: For the purpose of this rule, the following definitions shall apply, in addition to those definitions found in Rule 100: General Provisions and Definitions of these rules. In the event of any inconsistency between any of the Maricopa County air pollution control rules, the definitions in this rule take precedence.

201 AEROSOL COATING PRODUCT – A pressurized coating product containing pigments or resins that dispenses product ingredients by means of a propellant, and is packaged in a disposable can for hand-held application, or for use in specialized equipment for ground traffic/marketing applications.

202 AIRLESS SPRAY – A system that atomizes principally by hydraulic pressure, including “airless” and “air assisted airless”.

203 ANTI-FOULANT COATING – Any coating applied to the underwater portion of a pleasure craft to prevent or reduce the attachment of biological organisms, and registered with the United States Environmental Protection Agency (EPA) as a pesticide under the Federal Insecticide, Fungicide, and Rodenticide Act (7 United States Code Section 136).

- 204 CLEANUP** – Removal of uncured coating from any surface.
- 205 COATING** – A material that is applied to a surface and forms a film in order to beautify and/or protect such surface.
- 206 CLEAR OR TRANSLUCENT COATINGS** – A colorless coating which contains binders, but no pigment, and is formulated to form a transparent film.
- 207 DIP COAT (INCLUDING ELECTRO-DEPOSITION)** – A coating application method accomplished by dipping an object into coating.
- 208 ELECTRIC-INSULATING COATINGS** – The charging of atomized coating droplets for deposition to a grounded substrate by electrostatic attraction.
- 209 ELECTROSTATIC SPRAY** – A coating application method accomplished by charging atomized paint particle for deposition by electrostatic attraction on a metal part or product.
- 210 EXTREME HIGH GLOSS COATINGS** – Any coating which achieves at least 75 percent reflectance on a 60° meter when tested by ASTM Method D 523-89.
- 211 FLOW COATING (Flow Coaters)** – A coating application system, with no air supplied to the nozzle, where paint flows over the part and the excess coating drains back into the collection system.
- 212 HAND APPLICATION METHODS** – Application of coatings by non-mechanical, hand-held equipment including but not limited to paint brushes, hand rollers, caulking guns, trowels, spatulas, syringe daubers, rags, and sponges.
- 213 HIGH-GLOSS COATING** – Any coating which achieves at least 85 percent reflectance on a 60o meter when tested by ASTM D 523-89.
- 214 HIGH VOLUME-LOW PRESSURE (HVLP) SPRAY** – Spray equipment used to apply materials by means of a spray gun which is designed and intended to be operated, and which is operated, between 0.1 and 10.0 psig of air atomizing pressure, measured dynamically at the center of the air cap and the air horns.
- 215 NON-ATOMIZING SPRAY APPLICATION EQUIPMENT** – Any application technique in which resin flows from the applicator, in a steady and observable coherent flow, without droplets, for a minimum distance of three (3) inches from the applicator orifices. Non-Atomized mechanical application means the use of application tools other than buckets and brushes to apply resin and gel coat. Examples of non-atomized application include flow coaters, pressure-fed rollers, and fluid impingement spray guns.
- 216 PLEASURE CRAFT** – Any water vessel used by individuals for noncommercial, non-military, and recreational purposes that are less than 20 meters (78.7 feet) in length. A

vessel rented exclusively to or chartered by individuals for such purposes shall be considered a pleasure craft as defined in 40 C.F.R. § 63.782. The owner or operator of such vessels shall be responsible for certifying that the intended use is for recreational purposes.

- 217 POWDER COATING** – Any material applied as a dry (without carrier) finely divided solid which, when melted and fused, adheres to the substrate as a paint film.
- 218 PRIMER** – A coating labeled as such, which is designed to be applied to a surface to provide a bond between that surface and subsequent coats.
- 219 REPAIR** – Addition of polyester resin to portions of a previously fabricated product in order to mend mechanical damage which occurs after the normal fabrication process.
- 220 ROLL COAT (Resin Rollers)** – A coating application method accomplished by rolling a coating only a flat surface using a roll applicator.
- 221 TOPCOAT** – Any final coating applied to the interior or exterior of a pleasure craft.
- 222 TOUCH-UP OPERATION** – That portion of the coating operation which is incidental to the main coating process but necessary to cover minor imperfections or minor mechanical damage incurred prior to intended use, or to achieve coverage as required.
- 223 VOC-CONTAINING MATERIAL** – Any chemical or item that contains an organic compound that participates in atmospheric photochemical reactions, except the non-precursor organic compounds. “VOC-containing material” includes but is not limited to rags, waste coatings, waste brushes, waste rollers, waste applicators, waste solvents, and their residues are used in the surface preparation, cleanup, of surface coatings.
- 224 VAPOR PRESSURE** – The pressure exerted at a uniform temperature by the gas of a substance when the gas is in equilibrium with the liquid (or solid) phase of that substance.
- 225 VOC VAPOR PRESSURE (VOC COMPOSITE PARTIAL PRESSURE)** –The sum of the partial pressures of the compounds defined as VOCs, calculated according to the formula in Section 503.2(d) of this rule.

SECTION 300 – STANDARDS

- 301 PLEASURE CRAFT – MANUFACTURERS AND SUPPLIERS:** An owner or operator selling, offering for sale, supplying for use, or manufacturing for sale within Maricopa County any VOC-containing material for use in pleasure craft coating operations shall provide a material safety data sheet (MSDS) or product data sheet showing the material name, manufacturer's name, specific mixing instructions (if applicable) and VOC content as applied that complies with the VOC content limits as defined in Table 359–1 of this rule.

302 PLEASURE CRAFT – METAL PRODUCT OR PLASTIC PART COATING OPERATIONS:

302.1 Material Requirements – VOC Content: An owner or operator shall not apply any coatings, including any VOC-containing materials added to the original coating supplied by the manufacturer, which contain VOC in excess of the limits specified in Table 359–1 below.

Table 359–1. Pleasure Craft Surface Coating VOC Content Limits

Coating Category	VOC Content Limit (less water and non-precursor organic compounds)	
	lbs/gal	grams/liter
Extreme High-gloss Topcoat	4.1	490
High-gloss Topcoat	3.5	420
Pretreatment Wash Primer	6.5	780
Finish Primer/Surfacer	3.5	420
High Build Primer Surfacer	2.8	340
Aluminum Substrate Anti-Foulant Coating	4.7	560
Other Substrate Anti-Foulant Coating	2.8	330
All other Pleasure craft surface coatings for metal or plastic	3.5	420

302.2 Process or Control Requirements:

a. Application Methods: An owner or operator shall apply VOC-containing surface coatings with one of the following methods listed below. The equipment applying these coatings shall be operated according to the equipment manufacturer specifications.

- (1) Electrostatic application (Section 209); or
- (2) High-Volume, Low-Pressure Spray (HVLP) spray gun or any other method which is approved by the Control Officer as having a transfer efficiency of equal to or greater than the transfer efficiency achieved by an HVLP spray gun (Section 214); or
- (3) Flow coat(Section 211); or
- (4) Non-atomizing or non-spraying application methods. Examples of non-atomized application include flow coaters, pressure-fed rollers, and fluid impingement spry guns. (Section 215); or
- (5) Airless spray or air assisted airless spray (defined in Section 202 of this rule).

b. Emission Control System (ECS): The limits of Sections 302.1 of this rule do not apply when emissions of VOC to the atmosphere from coating operations are controlled by an ECS that meets the following requirements:

- (1) The control device shall reduce VOC emissions from an emission collection system by at least 95 percent by weight or VOC emissions shall be no more than 5 parts per million (ppm) VOC by volume calculated as carbon with no dilution; and
- (2) The emission collection system achieves an overall emission capture and control efficiency of at least 90 percent by weight of the VOC emissions generated by the sources.
- (3) Any owner or operator electing to use an emissions control system as a means of complying with this rule shall comply with Section 304 of this rule.

302.3 Pleasure Craft Coating Application Equipment – Cleanup: An owner or operator shall comply with the following procedures when using VOC-containing materials to clean coating application equipment:

a. Disassemble any spray gun and other coating application equipment and clean it in:

- (1) A container which remains covered at all times, except when the coating application equipment is being handled in the container, or transferred into or out of the container; or
- (2) A commercially-sold gun cleaning machine (Gun Washer) which shall be operated and maintained as stipulated in the Maricopa County Air Quality Permit's Operation and Maintenance (O&M) Plan – or in the absence of its mention in the O&M Plan – according to manufacturer's or distributor's instructions.

b. Vapor Pressure Limits for Cleaning Coating Application Equipment: An owner or operator subject to this rule using VOC-solvents to clean coating application equipment shall use only solvents which, as used, have a VOC-vapor pressure below 35 mm Hg at 20 °C (68 °F).

303 WORK PRACTICES – STORAGE, HANDLING, CLEANING AND DISPOSAL OF VOC-CONTAINING MATERIAL: An owner or operator shall control emissions from VOC-containing materials used during storage, handling, cleaning, and disposal as well as for surface preparation to clean surfaces before coating with the following practices:

303.1 For the purposes of this rule, the following definitions apply:

- a. “In use” is the active application of contents to a substrate by pouring, siphoning, brushing, rolling, padding, wiping or other methods; and
- b. “Containers” include but are not limited to drums, buckets, cans, pails, and trays.

303.2 Use and Storage: Work practices limiting VOC emissions include but are not limited to the following:

- a. **Storage and Mixing of Cleaning Materials:** An owner or operator shall store all VOC-containing material and VOC-containing cleaning materials in closed or covered leak-free containers. An owner or operator shall not use open containers for the storage of VOC –containing materials. The containers shall be closed at all time except when the material is being handled in the containers such as mixing, depositing, removing or transferring material into or out of the container.
- b. **Containers:** An owner or operator shall not leave containers of VOC-containing materials open/uncovered at all times and when depositing or removing these materials, recover containers immediately.

303.3 Waste Materials: An owner or operator shall store all VOC-containing coatings, thinners, and coating-related waste materials intended for disposal in closed or covered, leak-free containers which are legibly labeled with their contents and which remain covered at all times when not in use.

303.4 Spills: An owner or operator shall implement procedures to minimize spills of any VOC-containing material immediately during handling and transfer to and from containers, enclosed systems, waste receptacles and other equipment including small containers.

303.5 Conveyance of VOC-Containing Materials and VOC-Containing Cleaning Materials: An owner or operator shall ensure that all VOC-containing materials and VOC-containing cleaning materials that are conveyed from one location to another in containers or pipes shall be labeled and kept closed during conveyance.

303.6 Labeling: All containers that are 1 gallon or larger used for collection of VOC-containing material shall be legibly labeled with their contents. The label shall be constructed such that the label is readable at all times.

304 OPERATION AND MAINTENANCE (O&M) PLAN REQUIREMENTS FOR AIR POLLUTION CONTROL EQUIPMENT AND APPROVED EMISSION CONTROL SYSTEMS (ECS): An owner, operator, or person subject to this rule must

provide, properly install and maintain in calibration, in good working order, and in operation air pollution control equipment required by this rule.

- 304.1** An owner, operator, or person subject to this rule must provide and maintain readily available on-site at all times (an) O&M Plan(s) for any ECS and any ECS monitoring devices that are used under this rule or an air pollution control permit.
- 304.2** An owner, operator, or person subject to this rule must submit to the Control Officer for review within 45 days every O&M Plan(s) for any ECS including any ECS monitoring device that is used under this rule or required under an air pollution control permit.
- 304.3** An owner, operator, or person subject to this rule operating an ECS must install, maintain, and accurately calibrate monitoring devices described in the O&M Plan(s) including, but not limited to, monitoring devices that measure pressure differentials and other operating conditions necessary to determine if control devices are functioning properly.
- 304.4** An owner, operator, or person who is required to have an O&M Plan for any ECS including any ECS monitoring devices must fully comply with all elements of an O&M Plan(s) including, but not limited to every action, schedule, and condition identified in each O&M Plan.
- 304.5** An O&M Plan for any ECS including any ECS monitoring devices must include all of the following information:
- a.** ECS equipment manufacturer; and
 - b.** ECS equipment model; and
 - c.** ECS equipment identification number or identifier that owner, operator, or person subject to this rule assigns to such ECS equipment when manufacturer's equipment identification number is unknown; and
 - d.** Information required by Section 502 of this rule.
- 304.6** The owner, operator, or person subject to this rule, who receives a written notice from the Control Officer that the O&M Plan is deficient or inadequate, must make written revisions to the O&M Plan for any ECS including any ECS monitoring devices and must submit such revised O&M Plan to the Control Officer within five working days of receipt of the Control Officer's written notice, unless such time period is extended by the Control Officer, upon written request, for good cause. During the time that such owner, operator, or person subject to this rule is preparing revisions to the O&M Plan, such owner, operator, or person must still comply with all requirements of this rule.

SECTION 400 – ADMINISTRATIVE REQUIREMENTS- COMPLIANCE SCHEDULE:

An owner or operator who chooses to, or is required to comply with the new emission limits by installing or increasing the efficiency of an ECS under Section 302.2(b), and 304 of this rule shall meet the following milestones:

- 401 SUBMIT PLAN:** Submit a compliance plan, by (3 months after DATE OF RULE ADOPTION) or within three (3) months of becoming subject to the rule, to the Control Officer for approval which describes the method(s) used to achieve full compliance with the rule. The compliance plan shall specify dates for completing increments of progress, such as the contractual arrival date of new control equipment. The Control Officer may require an owner or operator submitting the compliance plan to also submit subsequent reports on progress in achieving compliance; and
- 402 COMPLIANCE DATE:** Attain full compliance with all of the standards in this rule by (12 months after DATE OF RULE ADOPTION) or within twelve (12) months of becoming subject to the rule.

SECTION 500 – MONITORING AND RECORDS:

501 MONITORING, RECORDKEEPING AND REPORTING: Any owner or operator of a facility subject to this rule shall comply with the following requirements. Records shall be retained for five years and shall be made available to the Control Officer upon request.

501.1 Facilities using any VOC-containing material listed in Table 1 shall keep the following records:

- a. **Purchase Receipts:** All purchase receipts/ invoices or any other documents, verifying the amount of VOC-containing material used that is regulated by this rule, for the most recent 12 months are kept together; and
- b. **Data Sheets Listing VOC Content:** All current data sheets that list the VOC content of material for every VOC-containing substance currently used that is regulated by this rule. VOC content may be expressed in one of three forms: lbs. VOC/ gallon; grams of VOC per liter, or % VOC by weight. This data can be supplied to the Control Officer through certified product data sheets (CPDS) Material Safety Data Sheets (MSDS) or any other technical data sheets that identify the appropriate data on material properties and composition.

501.2 Applicator Cleanup Solvent: An owner or operator of both types of facilities listed in Section 501.1 of this rule shall keep a hardcopy of the VOC vapor pressure (VP) at 20°C (68°F) of solvent(s) for coating and of solvents used for cleaning spray guns, hoses, reservoirs, and any other coating application equipment. Any one of the following ways of providing the VP data is sufficient:

- a. A current manufacturer's technical data sheet; or
- b. A current manufacturer's safety data sheet (MSDS); or
- c. Actual test results; or
- d. A letter signed by an official or lab manager of the supplying facility.

501.3 Frequency of Records:

- a. **Monthly Records:** The amount of each coating listed in Table 1 and the amount of each VOC-containing material, including solvents used for cleanup and for removal of VOC-containing residues and diluents, shall be kept on a monthly basis.
- b. **Records Update:** Update records of each coating used that do not comply with the VOC limits in Table 1 on a daily basis.

501.4 Burden of Proof for Facilities Requiring an Exemption: The owner or operator claiming an exemption under Sections 103.1, of this rule shall document the quantity of VOC materials used and keep sufficient records of the basis of such calculations to justify the exemption status.

502 EMISSION CONTROL SYSTEM (ECS) RECORDING REQUIREMENTS:

502.1 On each day an ECS is used at a facility according to this rule, an owner or operator of the facility shall:

- a. Record the amount and VOC content of coating, the amount of catalyst/hardener, and the amounts of solvent, reducer, and diluent used that were subject to ECS control according to this Rule 359; and
- b. Keep a permanent record of the operating parameters of the key systems as required by the O&M Plan; and
- c. Keep a permanent record of the maintenance actions taken, within 24 hours of the action's completion, for each day or period in which the O&M Plan requires that maintenance be done.

502.2. An explanation shall be entered for scheduled maintenance that is not performed during the period designated for it in the O&M Plan.

503 COMPLIANCE DETERMINATION – TEST METHODS: An exceedance of the limits established in this rule determined by any of the applicable test methods constitutes a violation of this rule. The EPA and the American Society for Testing and Materials

(ASTM) test methods and other documents as they exist in the Code of Federal Regulations (CFR) as listed below, are adopted and incorporated by reference in Appendix G of the Maricopa County Air Pollution Control Regulations. These documents are available Maricopa County Air Quality Department, 1001 N. Central Ave., Phoenix, AZ 85004; or by calling (602) 506-0169 for information. ASTM methods are also available from the American Society for Testing and Materials (ASTM), 100 Barr Harbor Drive, P.O. Box C700, West Conshohocken, PA 19428-2959, or from its website at www.astm.org.

503.1 VOC Content: VOC content and composite vapor pressure shall be determined with the following methods: When more than one test method is permitted for a determination, an exceedance of the limits established in the rule determined by any of the applicable test methods constitutes a violation of this rule.

- a. U.S. EPA Reference Method 24 (Determination of Volatile Matter Content, Water Content, Density, Volume Solids, and Weight Solids of Surface Coatings), 40 CFR, Part 60, Appendix A-7. Exempt solvent content shall be determined by: South Coast Air Quality Management District's (SCAQMD) "Laboratory Method of Analysis for Enforcement Samples" manual;
 - (1) Method 302; or
 - (2) Methods 303; or
- b. Manufacturer's formulation data can be accepted as an alternative to EPA Method 24.
- c. A material safety data sheet (MSDS) or product data sheet showing the material name and VOC content as applied.
- d. (SCAQMD Methods 304 – Determination of Volatile Organic Compounds (VOC) in Various Materials; 303 – Determination of Exempt Compounds, and 302 -Distillation of Solvents from Paints, Coatings and Inks (SCAQMD "Laboratory Method of Analysis for Enforcement Samples" manual).

503.2 Vapor Pressure: The total composite partial vapor pressure of all VOCs in a solution shall be determined by one of the following methods:

- a. ASTM D2879-97(2007) Standard Test Method for Vapor Pressure-Temperature Relationship and Initial Decomposition Temperature of Liquids by Isoteniscope; or
- b. Calculations using certified data from a laboratory or manufacturer revealing the exact formulation; or

- c. A Material Safety Data Sheet (MSDS) or product data sheet showing the material name and VOC vapor pressure; or
- d. Calculating VOC composite partial vapor pressure as follows:

$$PP_c = \frac{\sum_{i=1}^n \frac{(W_i)(VP_i) / MW_i}{\frac{W_w}{MW_w} + \sum_{i=1}^n \frac{W_c}{MW_c} + \sum_{i=1}^n \frac{W_i}{MW_i}}$$

where:

- W_i = Weight of the “i”th VOC compound, in grams
- W_w = Weight of water, in grams
- W_c = Weight of exempt compound, in grams
- MW_i = Molecular weight of the “i”th VOC compound, in g/g-mol
- MW_w = Molecular weight of water, in g/g-mol
- MW_c = Molecular weight of exempt compound, in g/g-mol
- PP_c = VOC composite partial vapor pressure at 20 °C (68°F), in mm Hg
- VP_i = Vapor pressure of the “i”th VOC compound at 20 °C, in mm Hg

503.3 The coating percent reflectance on a 60° meter shall be tested by ASTM Method D 523-89.

503.4 Emission Control System (ECS) Testing: Capture and control efficiency of an emissions control device shall be determined according to:

- a. “Guidelines for Determining Capture Efficiency”, January 9, 1995, Candace Sorrell, Source Characterization Group A, Office of Air Quality Planning and Standards, US EPA.
- b. EPA Reference Method 204 – Criteria for and Verification of a Permanent or Temporary Total Enclosure, 40 CFR 51, Appendix M; or applicable Subparts 204A, 204B, 204C or 204D.
- c. EPA Reference Method 18 – Measurement of Gaseous Organic Compound Emissions by Gas Chromatography, 40 CFR 60, Appendix A.
- d. EPA Reference Method 25 – Determination of Total Gaseous Nonmethane Organic Emissions as Carbon, 40 CFR 60, Appendix A; or applicable Subparts 25A or 25B.