

NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION

Division of Air Resources, Bureau of Stationary Sources
625 Broadway, Albany, New York 12233-3254
P: (518) 402-8403 | F: (518) 402-9035
www.dec.ny.gov

Fact Sheet for Proposed Changes to: 6 NYCRR Part 226 ‘Solvent Metal Cleaning Processes’ And the addition of a new regulation ‘Industrial Cleaning Solvents’

What is proposed?

The New York State Department of Environmental Conservation (DEC) is proposing amendments to 6 NYCRR 226, Solvent Metal Cleaning Processes. These proposed changes are necessary to be consistent with the Ozone Transport Commission’s (OTC) Model Rule for Solvent Degreasing (2012) and comply with the EPA’s Industrial Cleaning Solvents Control Technique Guidelines (2006).

Under the proposed changes, the current Part 226 will be re-designated Subpart 226-1 and renamed “Solvent Cleaning Processes”.

Additionally, the proposed amendments will add a new Subpart 226-2, entitled “Industrial Cleaning Solvents”.

Who is affected?

All owners or operators of solvent cleaning processes subject to the current Part 226 will be subject to the proposed subpart 226-1. Currently, Part 226 only applies to the cleaning of “metal”. This proposal removes this distinction, opening the applicability to any material cleaned by solvent cleaning processes. If your solvent cleaning process was not subject to Part 226 because you were cleaning something other than metal, you will now be subject to Subpart 226-1.

The proposed Subpart 226-2 ‘Industrial Cleaning Solvents’ will be a new regulation. Any owner or operator of a facility that emits to the atmosphere three (3) tons or more of volatile organic compounds (VOCs) from cleaning solvents, on an annual basis, may be subject. Specifically, the provisions apply to the cleaning of foreign materials from surfaces of unit operations, including large and small manufactured components, parts, equipment, floors, tanks, and vessels. Such cleaning may be done by wiping, brushing, mopping, flushing or spraying, either by hand or mechanical means. The use of cleaning solvents that are already subject to (or exempt from) other regulatory provisions are not subject to any new requirements under proposed 226-2. These provisions include:

(1) Subpart 226-1 ‘Solvent Cleaning Processes’

Cleaning solvents used in cold cleaning degreasers (including remote reservoir degreasers), open-top vapor degreasing and conveyORIZED degreasers; and including cleaning items defined as ‘special and extreme solvent cleaning’ in Subpart 226-1, and cleaning processes that specifically do not apply to Subpart 226-1 under 226-1.6(a);

(2) Subpart 228-1 ‘Surface Coating Processes’

Cleaning solvents used by any surface coating process to clean spray guns, spray booths; for surface preparation, clean-up and coating removal;

(3) Subpart 228-2 ‘Commercial and Industrial Adhesives, Sealants and Primers’

Cleaning solvents used for surface preparation and clean-up of adhesives, sealants and primers;

(4) Part 234 ‘Graphic Arts Processes’

Cleaning solvents used by offset lithographic, flexographic, rotogravure, screen printing or letterpress printing processes; and

(5) Part 201 ‘Permit Exempt and Trivial Activities’

Cleaning solvents used in Aircraft de-icing operations.

What changes are being Proposed?

The cleaning of all objects, regardless of material type, by solvent cleaning processes will be subject to Subpart 226-1.

Consistent with the OTC model rule, a new/replacement VOC requirement is being proposed for Part 226 cold cleaners, including remote reservoir cleaners. The proposed rule will change the current requirement of using a solvent with a maximum vapor pressure of 1.0 mm Hg, or less, at 20°C- to using a cleaner with no more than 25 grams of VOC per liter (25g/l) of cleaning solution. No changes are being proposed for the other Part 226 solvent cleaning processes (open top vapor or conveyORIZED).

Based on EPA’s Industrial Cleaning Solvents Control Technique Guidelines (2006), owners or operators subject to the proposed Subpart 226-2 ‘Industrial Cleaning Solvents’ will have work practice, recordkeeping and storage requirements for their cleaners that contain VOCs. Cleaning solutions will also have a maximum VOC content limit of fifty (50) grams of VOC per liter (0.42 pounds of VOC per gallon) of cleaning material- or, as an alternative to this maximum VOC content, an industrial cleaning solvent with a maximum composite vapor pressure of eight (8) millimeters of mercury (mmHg) at 20 degrees Celsius may also be used.

When will these new requirements go into effect?

If you are an owner or operator of a facility subject to the current Part 226, or to the proposed Subpart 226-1, you will have to be in compliance with the new requirements within two years from the effective date of the regulation. The current requirements of Part 226 will remain in effect until that time. New facilities must be in compliance upon start-up.

Owners or operators of cleaning operations, which are or become subject to the new Subpart 226-2 ‘Industrial Cleaning Solvents’ must be in compliance with its requirements within one year of the effective date of the regulation.