

regulations, COMAR 26.11.19.02G and 26.11.06.06A and B, respectively. Revisions to COMAR 26.11.19.02G and 26.11.06.06A and B are the subject of a separate rulemaking action.

## II. EPA Evaluation and Action

VOCs contribute to the production of ground level ozone and smog. These rules were adopted as part of an effort to achieve the National Ambient Air Quality Standard (NAAQS) for ozone. The following is EPA's evaluation and action for the State of Maryland. Detailed descriptions of the amendments addressed in this document, and EPA's evaluation of the amendments, are contained in the technical support document (TSD) prepared for these revisions. Copies of the TSD are available from the EPA Regional office listed in the ADDRESSES section of this document.

### *RACT Catch-up Requirements*

Because Maryland is in the OTR, the entire State is subject to the RACT Catch-up provisions of section 182(b)(2) of the Act. Therefore, Maryland is required to (1) adopt statewide RACT rules covering all pre-enactment CTGs, (2) identify all sources the State anticipates will be covered by a post-enactment CTG and (3) submit non-CTG rules for all remaining major sources. The Baltimore and Philadelphia nonattainment areas are classified as severe. Therefore a major source in these areas is a source having the potential to emit 25 TPY of VOC or more. In the remainder of the State, a major source is defined as a source having the potential to emit 50 TPY of VOC or more.

### *State Submittal*

Maryland had previously adopted all applicable Group I, II, and III CTGs. On February 22, 1993, Maryland submitted a negative declaration letter to EPA indicating that Maryland has no sources covered by the CTGs which Maryland has not adopted. Through the following revisions, Maryland has expanded the applicability of its CTG regulations to statewide and lowered the major source threshold for non-CTG RACT.

(1) Maryland revised the applicability of its VOC stationary source regulations, COMAR 26.11.11.02 (Asphalt Paving), COMAR 26.11.11.04 (Petroleum Refineries), COMAR 26.11.13 (Control of Gasoline and Volatile Organic Compound Storage and Handling), and COMAR 26.11.19 (Volatile Organic Compounds from Specific Processes), to statewide. Under COMAR 26.11.11, sources in the newly regulated areas must comply by the effective date of the

regulation, April 26, 1993. Under COMAR 26.11.13 and the category-specific regulations in COMAR 26.11.19, sources in Maryland's newly regulated areas must comply as expeditiously as possible, but no later than May 15, 1993. Sources in Maryland's pre-enactment nonattainment areas must already be in compliance with COMAR 26.11.11, 26.11.13, and 26.11.19.

(2) Maryland also added a definition for the term "major stationary source of VOC" (COMAR 26.11.19.01B(4)) to its VOC regulations. This term means any stationary source with the potential to emit (a) 25 TPY of VOC or more in the City of Baltimore and Anne Arundel, Baltimore, Carroll, Cecil, Harford, and Howard Counties and (b) 50 TPY in the remainder of the State.

(3) Finally, Maryland changed the applicability threshold for COMAR 26.11.19.10: Graphic Arts, from 550 pounds per day (100 TPY) to the major source threshold defined in COMAR 26.11.19.01B(4).

### *EPA's Evaluation*

The revisions listed above are approvable as SIP revisions because they comply with the RACT Catch-up requirements of the Act. Through these revisions, Maryland has met the first major Catch-up requirement, which was to adopt statewide RACT rules covering all pre-enactment CTGs.

The remaining requirements, (1) to identify all sources the State anticipates will be covered by a post-enactment CTG and (2) to submit non-CTG rules for all remaining major sources, are addressed through Maryland's generic VOC RACT regulation, COMAR 26.11.19.02G. Revisions to COMAR 26.11.19.02G are the subject of a separate rulemaking action.

### *RACT Fix-up Requirements*

Maryland was required to correct deficiencies in existing VOC RACT regulations applicable in pre-enactment nonattainment areas. EPA identified deficiencies in Maryland's Stage I regulation, COMAR 26.11.13.04, in a June 14, 1988 letter to Maryland which followed EPA's SIP Call. In order to correct the identified deficiencies, Maryland must revise its Stage I regulation to conform to EPA guidance, including the Stage I CTG and model rules.

Specifically, Maryland is required to revise its Stage I bulk terminal regulation to require vapor control systems to collect all vapors from its loading racks and destroy at least 90% of these vapors. Maryland is required to adopt a bulk gasoline plant regulation

which conforms with EPA policy. Additionally, Maryland is required to revise its Stage I small storage tank regulation to require that all tanks installed prior to January 1, 1979 with a 2000 gallon capacity or greater and all tanks constructed after December 31, 1978 with a 250 gallon capacity or greater be equipped with a vapor control system.

### *State Submittal*

Maryland revised its regulation, COMAR 26.11.13.04: Control of Gasoline and VOC Storage—Loading Operations (A. Bulk Terminals, B. Bulk Plants, C. Small Storage Tanks, and D. General Requirements), to respond to the requirements listed above. Additionally, Maryland expanded the applicability of this regulation to statewide. Maryland also made a minor revision to its definition of the term "bulk gasoline plant" (COMAR 26.11.13.01B(1)), for clarification.

#### A. Bulk Terminals

Maryland's Stage I bulk gasoline terminal regulation, which covers facilities with daily gasoline throughput greater than 20,000, now requires vapor control systems at loading racks to collect all vapors and destroy at least 90% of these vapors.

#### B. Bulk Plants

Maryland's bulk gasoline plant regulates facilities with daily gasoline throughput between 4,000 gallons and 20,000 gallons. This regulation conforms with EPA's model rule requiring vapor balance systems and top submerged or bottom loading systems. This regulation also prohibits the transfer of gasoline into a storage tank unless Stage I is properly used and requires that the vapor control system be leak tight.

#### C. Small Storage Tanks

Maryland revised the capacity limits in Maryland's small storage tank Stage I regulation. The new capacity cutoffs are 250 gallons for "new" tanks constructed after May 8, 1991 and 2,000 gallons for "old" tanks constructed before May 8, 1991.

#### D. General Requirements

This section prohibits the loading of VOC or gasoline into a tank truck, railroad car, or other contrivance unless the loading connections on the vapor lines are equipped with leak tight fittings which automatically close upon disconnection, and the equipment is maintained and operated to prevent avoidable liquid leaks during loading and unloading.