

**Maryland General Assembly  
Department of Legislative Services**

**Proposed Regulations  
Department of the Environment**  
(DLS Control No. 15-067)

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## **Overview and Legal and Fiscal Impact**

These re-proposed regulations adopt the requirements of the Environmental Protection Agency's (EPA) control technique guidelines (CTG) for volatile organic compound (VOC) emissions for fiberglass boat manufacturing.

The regulations present no legal issue of concern.

There is no fiscal impact on State or local agencies.

## **Regulations of COMAR Affected**

### **Department of the Environment:**

Air Quality: Volatile Organic Compounds from Specific Processes:  
COMAR 26.11.19.26 and .26-1

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## **Legal Analysis**

### **Background**

VOC emissions can combine with nitrogen oxides to form ground-level ozone, which can cause a variety of health and ecological problems. The federal Clean Air Act requires all areas of the country to achieve specific air quality standards for ozone and to develop state implementation plans to meet those standards. EPA issues CTGs to assist States in reducing VOC emissions. States may follow the CTG or adopt more restrictive standards.

Regulations were previously published in the *Maryland Register* on December 1, 2014, but were not adopted. According to the Department of the Environment, the re-proposed regulations address concerns relating to VOC content and vapor pressure limits for cleaning materials that were raised during the public comment period.

### **Summary of Regulations**

These regulations adopt the requirements of EPA's CTG for VOC emissions for fiberglass boat manufacturing. New Regulation .26-1 (1) defines terms, including altering the definition of "non-VOC cleanup material" from the definition used in the previously published regulations to ensure consistency with the CTG rule; (2) establishes VOC emissions requirements and alternative compliance options for fiberglass boat manufacturing; (3) establishes test methods and VOC emissions compliance procedures; and (4) establishes

record keeping requirements. In light of this new regulation, Regulation .26 exempts fiberglass boat manufacturing from VOC regulation under a separate section to avoid duplicative or conflicting requirements.

### **Legal Issue**

The regulations present no legal issue of concern.

### **Statutory Authority and Legislative Intent**

The department cites §§ 1-101, 1-404, 2-101 through 2-103, 2-301 through 2-303, 10-102 and 10-103 of the Environment Article as legal authority for the regulations. More specifically, §§ 2-301 through 2-303 establish the broad authority of the department to regulate and set standards for emissions, the control of air pollution, and ambient air quality in the State, consistent with federal requirements.

This authority is correct and complete. The regulations comply with the legislative intent of the law.

### **Fiscal Analysis**

There is no fiscal impact on State or local agencies.

### **Agency Estimate of Projected Fiscal Impact**

The department advises that the regulations have minimal or no impact on State or local governments. The Department of Legislative Services concurs.

### **Impact on Budget**

There is no impact on the State operating or capital budget.

### **Agency Estimate of Projected Small Business Impact**

The department advises that the regulations have minimal economic impact on small businesses in the State; the regulations affect only one existing small business. The Department of Legislative Services concurs.

### **Contact Information**

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