

State of California  
AIR RESOURCES BOARD

**Notice of Public Availability of Modified Text**

**PUBLIC HEARING TO CONSIDER THE ADOPTION OF AN AIRBORNE TOXIC CONTROL MEASURE TO REDUCE EMISSIONS OF HEXAVALENT CHROMIUM AND NICKEL FROM THERMAL SPRAYING**

Public Hearing Date: December 9, 2004  
Public Availability Date: March 18, 2005  
Deadline for Public Comment: April 4, 2005

At a public hearing held on December 9, 2004, the California Air Resources Board (the Board or ARB) considered adoption of a proposed Airborne Toxic Control Measure (ATCM) to Reduce Emissions of Hexavalent Chromium and Nickel from Thermal Spraying ("Thermal Spraying ATCM": new section 93102.5, title 17, California Code of Regulations (CCR)). The proposed ATCM is described in detail in the Initial Statement of Reasons (ISOR) released to the public on October 22, 2004.

At the hearing, the Board approved the adoption of the Thermal Spraying ATCM, with certain modifications to the originally proposed language. Following is a summary of the more significant modifications:

- The definition for "inward face velocity" was modified.
- The definition for a "new thermal spraying operation" was revised to clarify that it does not include the modification of an existing operation.
- Modifications were made to the standard for new thermal spraying operations specified in subsection (e)(3)(A). The originally proposed language specified that no person may operate a new thermal spraying operation unless it is located outside of an area that is zoned for residential or mixed use and is located at least 500 feet from the boundary of any area that is zoned for residential or mixed use. The modified language provides that a new thermal spraying operation shall be deemed to meet this standard if certain specified criteria are met, even if the operation does not meet the standard at the time of initial startup (e.g., in situations where the operation meets the standard when the authority to construct is issued, but does not meet the standard at the time of initial startup because of a zoning change that occurs after the authority to construct is issued).
- The monitoring requirements were modified to reduce the monitoring frequency for pressure drop and face velocity and clarify that remotely located operations are not required to monitor face velocity.
- The enclosure standards were modified to allow operators to open the booth door while thermal spraying operations are conducted for the purposes of equipment calibration or research and development activities.
- Various minor clarifications were made to the regulatory language.

By this notice, the modified regulation is being made available for public comment prior to final action by the Board's Executive Officer. Attached to this notice is Board Resolution 04-44 (Enclosure 1), which approves the regulatory action. The text of the modified regulatory language is appended to the Resolution as Enclosure 2. The modifications to the ARB staff's original proposal are shown in ~~strike-out~~ to indicate deletions and underline to indicate additions. The regulatory documents for this rulemaking are available online at the following ARB internet site:

<http://www.arb.ca.gov/regact/thermspr/thermalspr.htm>

In accordance with section 11346.8 of the Government Code, the Board directed the Executive Officer to adopt section 93102.5, title 17, CCR, after making the modified regulatory language available for a supplemental written comment period of at least fifteen (15) days, provided that the Executive Officer considers such written comments as may be submitted during the period, makes such modifications as may be appropriate in light of the comments received, and presents the regulation to the Board for further consideration if she determines that this is warranted.

Written comments on the modifications approved by the Board may be submitted by postal mail, electronic mail, or facsimile as follows:

Postal Mail is to be sent to:  
Clerk of the Board  
Air Resources Board  
1001 I Street, 23<sup>rd</sup> Floor  
Sacramento, California 95814

Electronic mail is to be sent to: [thermalspr@listserv.arb.ca.gov](mailto:thermalspr@listserv.arb.ca.gov)

Facsimile submissions are to be transmitted to: (916) 322-3928

In order to be considered by the Executive Officer, comments must be directed to the ARB in one of the three forms described above and received by the ARB by 5:00 p.m. on the deadline date for public comment listed at the beginning of this notice. Only comments relating to the above-described modifications to the text of the regulations shall be considered by the Executive Officer.

Enclosures (2)