

# Arkansas State Implementation Plan Revisions/Volatile Organic Compounds: U.S. Environmental Protection Agency Public Notices Approval



**Walter Wright, Jr.**  
wwright@mwlaw.com  
(501) 688.8839

12/21/2017

The United States Environmental Protection Agency (“EPA”) published a December 21st Federal Register Notice approving a revision to the Arkansas State Implementation Plan which updates the definition of Volatile Organic Compounds (“VOC”). See 82 Fed. Reg. 60517.

The approval was issued pursuant to a Direct Final Rule.

Pursuant to the Clean Air Act the states are primarily responsible for ensuring attainment and maintenance of the National Ambient Air Quality Standards (“NAAQS”) once the EPA has established them. Each state is therefore required to formulate subject to EPA approval, an implementation plan (“SIP”) designed to achieve each NAAQS. The SIPs contain the measures and actions the state proposes to attain each NAAQS.

The states are generally free to make their own choices as to how they will attain NAAQS through their SIPs. Further, the SIPs are somewhat dynamic documents which the state can choose to change as it continues to determine the appropriate means of attaining or maintaining the various NAAQS. However, the SIP and subsequent revisions must be reviewed and approved by EPA to determine if certain criteria in Section 110 of the Clean Air Act are met.

EPA states in the December 21st Federal Register Notice that it is approving an Arkansas revision to its SIP submitted by the Arkansas Department of Environmental Quality on March 24, 2017. The revision is stated to have updated the definition of VOC. It incorporates EPA’s most recent definition of VOC.

The updated definition of VOC is found in Arkansas Pollution Control and Ecology Commission Regulation No. 19 (Regulations of the Arkansas Plan of Implementation for Air Pollution Control). The revision adds the following to the list of compounds excluded from the VOC definition on the basis that they make a negligible contribution to the tropospheric ozone formation:

- trans-1,3,3,3,-tetrafluoropropene
- 2,3,3,3-tertrafluoropropene
- HCF<sub>2</sub>OCF<sub>2</sub>H (HFE-134)
- HCF<sub>2</sub>OCF<sub>2</sub>OCF<sub>2</sub>H (HFE-236cal2)
- HCF<sub>2</sub>OCF<sub>2</sub>CF<sub>2</sub>OCF<sub>2</sub>H (HFE-338pcc13)

- HCF2OCF2OCF2CF2OCF2OCF2H (H-Galden 1040x or H-Galden ZT 130 (or 150 or 180))
- trans 1-chloro-3,3,3-trifluoroprop-1-ene
- 2-amino-2-methyl-1-propanol

[A copy of the Federal Register Notice can be downloaded here.](#)