

January 31, 2003

Air and Radiation Docket and Information Center (6102T)
Docket Number A-99-12
U.S.E.P.A.
1200 Pennsylvania Avenue, NW
Washington, DC 20460

Dear Sir or Madam:

The SBO/SBAP National Steering Committee offers the following comments regarding the proposed National Emission Standards for Hazardous Air Pollutants: Surface Coating of Plastic Parts and Products (40 CFR Part 63).

The EPA action proposes a National Emission Standard for Hazardous Air Pollutants (NESHAP) for plastic parts and products surface coating operations located at major sources of hazardous air pollutants (HAP).

There is a substantial number of smaller plastic surface coating facilities whose actual emissions of HAP are substantially less than "major" amounts (i.e., 10 tons per year of any single HAP, or more than 25 tons per year from the sum of all HAP emitted). Many of these facilities, however, would be considered "major sources" that are subject to the proposed rule because there is no federally enforceable provision in place that limits their potential to emit a HAP.

The SBO/SBAP National Steering Committee believes that the plastic parts surface coating rule should provide a mechanism for such facilities to accept and document compliance with federally enforceable limitations other than through a permit that has been subject to a public notice.

The SBO/SBAP National Steering Committee is requesting that EPA establish another mechanism to be used to exempt smaller sources from the regulation. Unless such a mechanism is provided in the standards, many of these smaller facilities will have to enter the Title V permitting process in order to obtain a Federally enforceable limitation on their potential to emit. The present proposal would impose a substantial burden on many smaller facilities as well as on State and local permitting authorities.

EPA has developed guidance to assist States and local agencies in efficiently creating potential to emit limits for sources that have the capacity to emit major amounts of air pollutants, but actually emit amounts that are much lower than the major source thresholds. In the guidance document dated 4-14-98 regarding the subject matter "Potential to Emit (PTE) Guidance for Specific Source Categories", EPA established cutoffs that could be utilized by states when developing prohibitory rules. One of the source categories

evaluated in this guidance is surface coating. (see attached memo from John Seitz, EPA, OAQPS)

The SBO/SBAP National Steering Committee proposes adding to the applicability section of the proposed rule the following language:

The owner or operator commit to using no more than 250 gallons per month, or 3,000 gallons per rolling 12-month period, of coatings, thinner, other additives, and cleaning materials at the plant site, and if the plant site does not contain other sources of HAP emissions, then the plant site can be considered an area source to which the rule does not apply. A rolling 12 month period includes the previous 12 months of operation. The owner or operator shall maintain records of the total gallons of coatings, thinner, other additives, and cleaning materials used each month. These records shall be maintained for 2 years.

The above coating usage rates are based on conservative calculations that would ensure that the surface coating operations are minor sources. Case by case permitting could still be utilized for sources that would like to obtain a higher emission limitation just below the major source thresholds.

The inclusion of this provision would provide small business owners with greater certainty that EPA., States, local control agencies and the public do not consider them major sources under the Clean Air Act. This language would be similar to the current language in the NESHAP regulation for Wood Furniture Manufacturing (see attached Subpart JJ, 63.8). Please see a copy of the Background Information document for the final wood standards dated November 1995 (attached), which goes into further details regarding the benefits of this proposed provision.

We thank you for the opportunity to comment on this National Emission Standard, and stand ready to assist you as needed in further improving of EPA's regulations for the surface coating sector.

Sincerely,

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National Steering Committee
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Attachments

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