

percent HAP used in mechanical resin application. The commenter notes that the facility that sets the floor using a 40 percent HAP resin is not typical of a true corrosion-resistant (CR) company because that facility uses only manual application, while true CR companies use both manual and mechanical application techniques. A second commenter requested that the MACT floor for manual corrosion-resistant resin be changed so that it is the same as the floor for mechanical corrosion-resistant resin.

*Response:* As discussed in the previous response, the floor is based on the data available for this process/product grouping. However, as with filament application, the provision allowing facilities to use the same resin in multiple operations should allow enough flexibility for facilities to meet rule requirements, but still produce products with the necessary properties. Therefore, facilities that produce corrosion-resistant and noncorrosion-resistant products using both manual and mechanical resin application will be able to use the same resin in both operations.

*Comment:* One commenter stated that the proposed MACT of 35.5 percent HAP for noncorrosion-resistant centrifugal casting would result in a resin too high in viscosity, which may create air release problems. The commenter states that lower molecular weight resins would cause some limitations in physical property requirements.

*Response:* We received new data that changed the floor for centrifugal casting to 37.5 percent HAP. With less than 30 facilities in the process group for which we have data, the MACT floor must represent the average performance of the top five facilities. We have no data to support raising the floor any further.

*Comment:* One commenter stated that they believe that new operations should be subject to new source MACT even if they are added to an existing source. The commenter understands that there are cases in which the new equipment may be incorporated within an existing manufacturing line, making it difficult to employ separate controls (e.g., if all the equipment is controlled at a later end point). The commenter suggests, however, that separate and more specific provisions can be included in the rule to govern such cases.

*Response:* This comment is only applicable to new source MACT for specified processes that emit over 100 tpy, because below that level, new source and existing source MACT are the same. We believe that, for this particular industry, the ability of a

facility to incorporate the capture and control requirements of new source MACT for larger facilities is closely related to the structure housing the process, because the size and shape of the existing building affects the layout of the production line. Even if there are significant process changes, this by itself would not indicate that the building housing the process has been changed, thereby making retrofit of capture and control systems unfairly difficult compared to a new greenfield facility. We believe that attempting to develop a detailed set of requirements that could cover every situation would be unrealistic.

We agree that this provision may result in small facilities being able to grow significantly without becoming new sources. However, it should be noted that in the final rule, we have overridden the portion of the general provisions in 40 CFR part 63 which states that facilities that move are still considered existing. Because we believe the cost and technical feasibility of capture and control are closely related to the building housing the process, we believe that a facility that moves should be considered a new source because they can plan for capture and control prior to erecting or selecting a new building. Therefore, facilities that would be considered existing sources under the general provisions will be considered to be new sources under the final rule. Therefore, in this aspect, the final NESHAP are more stringent.

*Comment:* Several commenters requested clarification in this rule on which operations at a reinforced plastics composites facility and which operations at a boat building facility will be covered by this rule and which will be covered by 40 CFR part 63, subpart VVVV (Boat Manufacturing NESHAP).

It was noted that neither the preamble nor the proposed rule explicitly states whether this rule applies to manufacturing of boats or boat components and requested that language be added to the final rule clarifying that this rule does not apply to any processes or operations subject to 40 CFR part 63, subpart VVVV. One commenter stated that boat building plants routinely produce non-boat parts and presumed that such facilities will be required to meet the composites rule when producing composite parts that are not associated with the manufacture of boats. The commenter also points out that some composite plants produce boat parts that are then used to build boats, such as when producing barge covers that are related to the manufacture of river barges.

*Response:* We have added \$ 63.5787 to the final rule to specifically address this issue. A facility must produce boat hulls and decks, or molds for boat hulls and decks, to be covered by the Boat Manufacturing NESHAP (40 CFR part 63, subpart VVVV). If it produces reinforced plastic composites, as defined in the final rule, and is not covered by the Boat Manufacturing NESHAP, then it is covered by the Reinforced Plastic Composites NESHAP, regardless of the final use of the parts.

In the case where a facility is subject to the Boat Manufacturing NESHAP (40 CFR part 63, subpart VVVV), but the facility also makes parts that are not a component of their boats, then the non-boat parts are covered by the Reinforced Plastic Composites NESHAP. However, only resins and gel coats actually used to make parts covered by the Reinforced Plastic Composites NESHAP are considered in determining compliance.

In addition, in order to simplify compliance, we are allowing facilities that are subject to the Boat Manufacturing NESHAP (40 CFR part 63, subpart VVVV) and that also make parts subject to the Reinforced Plastic Composites NESHAP, to elect to make all their manufacturing operations subject to the Boat Manufacturing NESHAP if they can demonstrate, through the appropriate HAP emissions calculations, that this will not result in any HAP emissions increases over what would occur if they complied with the Reinforced Plastic Composites NESHAP for non-boat part production. We also clarify that HAP emissions from activities covered by the Boat Manufacturing NESHAP are not considered when calculating HAP emissions thresholds to determine the applicability of add-on controls.

*Comment:* One commenter requested that the rule explain what happens in instances where the 100 tpy threshold is exceeded even by a little, temporarily. Does this require that add-on controls be installed?

*Response:* It is our intent that unusual circumstances result in a facility having to add and operate add-on controls. We have included clarifying language in the final rule that allows a one-time exemption to the 95 percent capture and control requirements for facilities that were below the 100 tpy threshold and exceed the threshold due to unusual circumstances. This exemption allows facilities to average annual HAP emissions over 3 years to determine if they exceed the threshold. However, facilities are also required to document the unusual circumstances that caused the exceedance, and why they expect to remain below the threshold in the