

covered under the North American Industrial Classification System (NAICS) codes listed in Table 1. However, facilities classified under other NAICS codes may be subject to the proposed rule if they meet the applicability criteria.

The table is not intended to be exhaustive, but rather provides a guide for readers regarding subcategories and entities likely to be regulated by today's action. To determine whether your coating operation is regulated by this action, you should examine the

applicability criteria in 40 CFR 63.3481 of the proposed rule. If you have any questions regarding the applicability of today's action to a particular entity, consult the person listed in the preceding **FOR FURTHER INFORMATION CONTACT** section.

TABLE 1.—SUBCATEGORIES AND ENTITIES POTENTIALLY REGULATED BY THE PROPOSED STANDARDS

Subcategory	NAICS	Examples of Potentially Regulated Entities
One- and two-piece draw and iron (D&I) can body coatings.	332431	Two-piece beverage can facility
Sheetcoatings .....	332431 332115 332116 332812 332999	Three-piece food can facility, two-piece D&I facility, one-piece aerosol can facility, etc.
Three-piece can assembly coatings .....	332431	Can assembly facility
End lining coatings .....	332431 332812	End manufacturing facilities

*Background Information Document and Economic Impact Analysis.* The Background Information Document (BID) and the Economic Impact Analysis (EIA) for the proposed rule may be obtained from the TTN WWW; the metal can manufacturing (surface coating) docket (A-98-41); the EPA Library (267-01), Research Triangle Park, NC 27711, telephone (919) 541-2777; or the National Technical Information Service, 5285 Port Royal Road, Springfield, VA 22161, telephone (703) 487-4650. Please refer to "Background Information Document—National Emission Standards for Hazardous Air Pollutants (NESHAP) for the Metal Can Manufacturing (Surface Coating) Industry" (EPA-453/R-02-008) and the "Economic Impact Analysis of Metal Can MACT Standards" (EPA-452/R-02-005).

*Outline.* The information presented in this preamble is organized as follows:

- I. Background
  - A. What is the source of authority for development of NESHAP?
  - B. What criteria are used in the development of NESHAP?
  - C. What impacts do cure HAP have on the NESHAP?
  - D. What are the health effects associated with HAP emissions from metal can surface coating operations?
- II. Summary of the Proposed Rule
  - A. What source categories and subcategories are affected by the proposed rule?
  - B. What is the relationship to other rules?
  - C. What are the primary sources of emissions and what are the regulated pollutants?
  - D. What is the affected source?
  - E. What are the emission limits, operating limits, and work practice standards?
  - F. When must I comply with the proposed rule?

- G. What are the testing and initial compliance requirements?
- H. What are the continuous compliance requirements?
- I. What are the notification, recordkeeping, and reporting requirements?
- III. Rationale for Selecting Proposed Standards
  - A. How did we select the source category and subcategories?
  - B. How did we select the regulated pollutants?
  - C. How did we select the affected source?
  - D. How did we determine the basis and level of the proposed standards for new or reconstructed affected sources and existing affected sources?
  - E. How did we select the format of the standards?
  - F. How did we select the testing and initial compliance requirements?
  - G. How did we select the continuous compliance requirements?
  - H. How did we select the test methods for determining compliance with the emission limits using add-on control devices?
- I. How did we select notification, recordkeeping, and reporting requirements?
- IV. Summary of Environmental, Energy, and Economic Impacts
  - A. What are the air impacts?
  - B. What are the cost impacts?
  - C. What are the economic impacts?
  - D. What are the non-air health, environmental, and energy impacts?
- V. Administrative Requirements
  - A. Executive Order 12866, Regulatory Planning and Review
  - B. Executive Order 13045, Protection of Children from Environmental Health Risks and Safety Risks
  - C. Executive Order 13132, Federalism
  - D. Executive Order 13175, Consultation and Coordination with Indian Tribal Governments
  - E. Executive Order 13211, Actions Concerning Regulations that Significantly Affect Energy Supply, Distribution, or Use

- F. Unfunded Mandates Reform Act of 1995
- G. Regulatory Flexibility Act (RFA), as Amended by the Small Business Regulatory Enforcement Fairness Act of 1996 (SBREFA), 5 U.S.C. 601, *et seq.*
- H. Paperwork Reduction Act
- I. National Technology Transfer and Advancement Act

## I. Background

### A. What Is the Source of Authority for Development of NESHAP?

Section 112 of the CAA requires us to list categories and subcategories of major sources and area sources of HAP and to establish NESHAP for the listed source categories and subcategories. The metal can surface coating source category was listed on July 16, 1992 (57 FR 31576) under the Surface Coating Processes industry group. Major sources of HAP are those that emit or have the potential to emit equal to or greater than 9.1 Mg/yr (10 tpy) of any one HAP or 22.7 Mg/yr (25 tpy) of any combination of HAP.

### B. What Criteria Are Used in the Development of NESHAP?

Section 112 of the CAA requires that we establish NESHAP for the control of HAP emissions from both new or reconstructed and existing major sources. The CAA requires the NESHAP to reflect the maximum degree of reduction in emissions of HAP that is achievable. That level of control is commonly referred to as the MACT.

The MACT floor is the minimum control level allowed for NESHAP and is defined under section 112(d)(3) of the CAA. In essence, the MACT floor ensures that the standard is set at a level that assures that all major sources achieve the level of control at least as stringent as that already achieved by the