

regulated are volatile organic compounds (VOC). Emissions of VOC are limited to 0.09 kg per liter of coating solids applied, and the affected source is each individual coating operation.

The rule differs from the NSPS in three ways. First, the affected source for the rule is defined broadly as the collection of all coating operations and related activities and equipment at the facility, whereas the affected facility for the NSPS is defined narrowly as each individual coating operation. The broader definition of affected source allows a facility's emissions to be combined for compliance purposes. Second, the NESHAP regulate organic HAP. While most organic HAP emitted from metal furniture surface coating operations are VOC, some VOC are not listed as HAP and, therefore, the NSPS regulate a broader range of pollutants than would the NESHAP. Third, the emission limitations in the NESHAP would be based on the amount of solids used at the affected source. The NSPS limitations are based on the amount of solids actually applied to the metal furniture which necessitates estimates of transfer efficiency in the compliance calculations.

Because of the differences between the NESHAP and the NSPS, compliance with either one cannot be deemed compliance with the other. A metal furniture surface coating facility that meets the applicability requirements of both rules must comply with both.

National emission standards for wood furniture manufacturing operations—40 CFR part 63, subpart JJ. There may be situations where a manufacturer of wood furniture also coats metal components of that wood furniture. Coating lines that are currently subject to subpart JJ will remain subject to only that rule so long as they continue to coat products that meet the definition of "wood furniture" or "wood furniture component" in § 63.801. This will be the case even if there are metal parts on the wood furniture or wood furniture components when they are coated.

Future national emission standards for the surface coating of miscellaneous metal parts. Metal furniture often contains components, such as metal knobs, hinges, and screws, that have a wider use beyond metal furniture. As stated previously, the coating of such parts would be subject to the metal furniture rule if the coating takes place at a facility that is coating metal furniture, or a facility whose entire production is dedicated to coating parts to be used exclusively in, or on, metal furniture. If the coating of such parts takes place at a facility that coats these parts for multiple types of products

(e.g., not exclusively metal furniture), the coating operations would be subject to the proposed NESHAP for the surface coating of miscellaneous metal parts and products (August 13, 2002, 67 FR 52780).

Future national emission standards for the surface coating of plastic parts and products. Plastic parts and products may be components (e.g., plastic handles) of metal furniture. The coating of such plastic parts would be subject to the metal furniture rule if the coating takes place at a metal furniture surface coating facility; or if it takes place at a facility whose entire production is dedicated to coating plastic parts for metal furniture. If the coating takes place at a facility that coats these plastic parts for multiple types of products (e.g., not exclusively metal furniture), the coating operations would be subject to the proposed NESHAP for the surface coating of plastic parts and products (December 4, 2002, 67 FR 72276).

IV. When Do I Show Initial Compliance With the Rule?

Existing affected sources must comply with the rule no later than 3 years after May 23, 2003. The effective date is May 23, 2003. New or reconstructed affected sources must comply upon start-up or May 23, 2003, whichever is later. Details of the compliance requirements can be found in the General Provisions, as outlined in Table 2 of today's rule.

Before your initial compliance demonstration, you must choose which of the several compliance options you will use for your affected source. In your initial compliance certification, you must notify the Administrator of your choice and after that, you must monitor and report compliance results accordingly. If you decide to change to other emission limit options, you are also required to notify the Administrator, as with other changes at the facility, as discussed later in this preamble.

V. What Testing and Monitoring Must I Do?

In addition to the specific testing and monitoring requirements specified below for the affected source, the rule adopts the testing requirements specified in 40 CFR 63.7.

A. Test Methods and Procedures

Emission limit(s). There are several options for complying with the emission limit(s), and the testing and initial compliance requirements vary accordingly.

If you demonstrate compliance based on the materials used in the affected source, you must determine the mass of

organic HAP and the volume of solids in all materials used during the initial compliance period.

To determine the mass of organic HAP in coatings, thinners, and cleaning materials and the volume coating solids, you could either rely on manufacturer's data or on results from the test methods listed below. Under § 63.4941 of the rule, you would be required to determine the mass of organic HAP in coatings, thinners, and cleaning materials used. To do this, you must count HAP that are present at 1 percent by mass or more if they are not carcinogens identified by the Occupational Safety and Health Administration (OSHA) at 29 CFR 1910.1200(d)(4), and count HAP that are present at 0.1 percent by mass or more if they are OSHA-identified carcinogens. Coating and solvent manufacturers are accustomed to providing a breakdown of material components according to this distinction and routinely report the values on Material Safety Data Sheets for the materials, as required by OSHA. We could have selected some other way to count HAP components of materials but concluded that allowing this long-standing approach to be used for compliance with the rule would provide the information needed for compliance assurance and would not impose any additional burden on the industry.

You may use alternative test methods provided you get EPA approval in accordance with the NESHAP General Provisions, § 63.7(f). If there is any inconsistency between the test method results (either EPA's or an approved alternative) and manufacturer's data, the test method results would prevail for compliance and enforcement purposes.

- For organic HAP content, use Method 311 of 40 CFR part 63, appendix A;

- The rule allows you to use nonaqueous volatile matter as a surrogate for organic HAP, which would include all organic HAP plus all other organic compounds. If you choose this option, then use Method 24 of 40 CFR part 60, appendix A; and

- For volume fraction of coating solids, use either manufacturer's data or ASTM Method D2697–86 (1998), Standard Test Method for Volume Nonvolatile Matter in Clear or Pigmented Coatings, or ASTM Method D6093–97, Standard Test Method for Percent Volume Nonvolatile Matter in Clear or Pigmented Coatings Using a Helium Gas Pycnometer. If you are not able to use these procedures, then you may calculate the volume fraction of coating solids based on the density and mass fraction of the volatile components.