

compounds production. Along with these 22 source categories, the Miscellaneous Organic Chemical Manufacturing source category is also defined to include other organic chemical manufacturing processes which are not being covered by any other MACT standards.

Today's action establishes final standards for miscellaneous organic chemical manufacturing (40 CFR part 63, subpart FFFF).

D. What Are the Health Effects Associated With the Pollutants Emitted From Miscellaneous Organic Chemical Manufacturing?

The CAA was created, in part, "to protect and enhance the quality of the Nation's air resources so as to promote the public health and welfare and the productive capacity of the population" (see section 101(b) of the CAA). These NESHAP will protect public health by reducing emissions of HAP from miscellaneous organic chemical manufacturing facilities.

Miscellaneous organic chemical manufacturing facilities emit an estimated 21,900 Mg/yr (24,100 tpy) of organic and inorganic HAP. Organic HAP include toluene, methanol, xylene, methyl ethyl ketone, ethyl benzene, methyl isobutyl ketone, and vinyl acetate. Inorganic HAP emitted by this industry include hydrogen chloride (HCl) and some HAP metals in the form of particulate matter (PM). The final rule reduces HAP emissions from miscellaneous organic chemical manufacturing facilities by 68 percent. As a result of controlling these HAP, the final NESHAP will also reduce emissions of volatile organic compounds (VOC). A summary of the potential health effects caused by exposure to these pollutants is presented in the preamble to the proposed rule (67 FR 16154).

E. How Did We Develop the Final Rule?

We proposed the NESHAP for the miscellaneous organic chemical manufacturing source category on April 4, 2002 (67 FR 16154) and provided an 85-day comment period. We received a total of 55 comment letters. A copy of each of the comment letters is available in Docket No. OAR-2003-0121 or A-96-04.

The final rule reflects full consideration of all the comments we received on the proposed rule, as well as our reassessment of certain data in the rulemaking record. Major public comments on the proposed subpart FFFF, along with our responses to the comments, are summarized in section IV of this preamble. A detailed response

to all comments is included in the Background Information Document for the promulgated standards (Docket No. OAR-2003-0121). Comments on the proposed miscellaneous coating manufacturing NESHAP will be summarized and discussed in the subpart HHHHH promulgation package.

II. Summary of the Final Rule

A. What Are the Affected Sources and Emission Points?

Emission points identified from miscellaneous organic chemical manufacturing production include process vents, storage tanks, equipment leaks, transfer operations, and wastewater collection and treatment systems. The affected source subject to this subpart is the facilitywide collection of miscellaneous organic chemical manufacturing process units (MCPU), wastewater treatment and conveyance systems, transfer operations, and associated ancillary equipment such as heat exchange systems that are located at a major source of HAP as defined in section 112(a) of the CAA. An MCPU includes a miscellaneous organic chemical manufacturing process, as defined in 40 CFR 63.2550, and must meet the following criteria: (1) It manufactures any material or family of materials described in 40 CFR 63.2435(b)(1); it processes, uses, or produces HAP described in 40 CFR 63.2435(b)(2); and, except for certain process vents that are part of a chemical manufacturing process unit, as identified in 40 CFR 63.100(j)(4), the MCPU is not part of an affected source under another subpart of 40 CFR part 63. The MCPU is defined according to the equipment used to make the subject material, and it includes storage tanks that are associated with the process.

New sources are created by reconstructing existing sources, constructing new "greenfield" facilities, or constructing an addition to an existing source that is a dedicated MCPU and has the potential to exceed 10 tpy of an individual HAP or 25 tpy of combined HAP. Reconfiguration of existing equipment does not constitute "construction."

B. What Are the Emission Limits and Work Practice Standards?

The final rule regulates HAP emissions from miscellaneous organic chemical manufacturing facilities that are determined to be major sources. The standards apply to existing sources as well as new sources.

Process Vents

The final standards for existing batch and continuous process vents are set at a floor level of control and include requirements for organic and inorganic HAP. For batch process vents, the final standards require you to reduce uncontrolled organic HAP emissions from the sum of all batch process vents within the process by 98 percent if uncontrolled emissions exceed 4,540 kilograms per year (kg/yr) (10,000 pounds per year (lb/yr)). No control of vents is required for processes that are limited to uncontrolled emissions of 4,540 kg/yr (10,000 lb/yr) or less, as calculated on a rolling 365-day basis. A second control option for batch vents is to reduce the sum of all batch process vents within the process by 95 percent using recovery devices.

For continuous process vents, the final standards require control of vents determined to have a total resource effectiveness (TRE) index equal to or less than 1.9. The standards require you to reduce HAP emissions by at least 98 percent by weight if the TRE of the outlet gaseous stream after the last recovery device is less than 1.9, or to reduce the outlet total organic compound (TOC) concentration to 20 parts per million by volume (ppmv) or less. For continuous process vents, we reference the process vent standards contained in 40 CFR part 63, subpart SS.

For inorganic HAP, we set the standards based on the floor and made no distinction between batch and continuous streams. The standards for hydrogen halide and halogen HAP (*i.e.*, HCl, hydrogen fluoride (HF), and chlorine (Cl₂)) were determined to be 99 percent control of hydrogen halide and halogen HAP from the sum of all process vents in processes with uncontrolled hydrogen halide and halogen HAP emissions equal to or greater than 1,000 lb/yr. The final rule also requires control of hydrogen halide and halogen HAP emissions generated by the combustion control of halogenated streams, which are defined by a mass emission rate of halogen atoms contained in organic compounds of 0.45 kilograms per hour (kg/hr) or more. Specifically, hydrogen halide and halogen HAP emissions must be reduced after the combustion device by 99 percent, to no more than 0.45 kg/hr, or to no more than 20 ppmv. Alternatively, the halogen atom mass rate before the combustion device may be reduced to no more than 0.45 kg/hr or to no more than 20 ppmv. The MACT floor for PM HAP emissions from process vents at existing sources is no