

the industry. Although we did not require groupings, we encouraged respondents to group materials and provided guidance "that products that involve different HAP or different process equipment in case of dedicated processes should not be grouped together." This language is basically consistent with the family of materials concept, and we note that many processes in our database appear to be material groupings. Therefore, we did not revise the MACT floor or proposed standards for batch vents. We also have not incorporated the suggestion to exempt "individual products for which the manufacture results in less than 500 lb/yr uncontrolled HAP emissions for nondedicated batch operations" because this language is unnecessary and inappropriate. Although the commenter may not have provided information on individual products with less than 500 lb/yr (e.g., the commenter could have grouped families and emissions would be over 500 lb/yr and required to be reported), we expect that some respondents applied the 500 lb/yr reporting test on families of materials, based on the substantive number of groupings reported. Thus, there is no basis for exempting individual products for which the manufacture results in HAP emissions below the suggested 500 lb/yr threshold. Finally, because the final rule makes no distinction between "batch" and "continuous" processes, but rather on batch and continuous emissions, we do not restrict the concept to batch "processes."

One commenter objected to the grouping of processes that are conducted in separate buildings and areas. Our proposed and final definition of process is not equipment specific. If the same product is manufactured in more than one set of equipment, emissions from all equipment must be considered when comparing to the 5 tpy mass applicability limit. The final rule is written this way because many manufacturers use nondedicated equipment to conduct their processes, and there is the potential that processing can be moved from one area to another easily to avoid regulation. Therefore, we do not restrict the family of materials grouping according to location.

*Comment:* Many comments addressed various concepts in the definition of miscellaneous organic chemical manufacturing process. Several commenters considered the definition to be too lengthy and confusing. Some suggested removing statements that do not define the process. Others asked for clarification of various terms used within the definition such as

"nondedicated," "nondedicated solvent recovery," "equipment," and "product." Two commenters stated that "product or isolated intermediate" should be changed to "miscellaneous organic chemical product."

Several commenters objected to various requirements for nondedicated formulation operations. For example, some commenters opposed the requirement that all nondedicated formulation operations be considered a single process. They noted that the ICR did not request data for aggregated formulation operations and, thus, the MACT floor was based on separate formulation processes. Other commenters requested clarification of the term "contiguous area" as it relates to formulation operations. Several commenters found the exclusion for formulation operations that involve "mixing" to be confusing. They also requested that all formulation operations be exempt, not just those that are nondedicated and involve mixing, because none of these operations result in many emissions. One commenter expressed concern that estimating emissions for "hundreds" of small vents with minimal emissions for all the various formulated products would be burdensome, and control would be very costly. One commenter asked for an explanation of why nondedicated formulation operations (and nondedicated solvent recovery operations) are treated differently than other nondedicated operations.

Several commenters stated that cleaning operations should be part of the process only if they are routine and predictable because these are the only cleaning operations for which emissions can be estimated and included in a standard batch. Other commenters added that cleaning should not be part of the process if it involves opening of process vessels because there are no practical control methods for such events.

*Response:* Except for nondedicated solvent recovery and formulation operations, miscellaneous organic chemical manufacturing processes are product based, meaning that all equipment used to manufacture a product is to be included in determining process vent control. We think this product-based approach is necessary because owners and operators may have the flexibility to manufacture the same product in more than one distinct area in a way that would avoid control under an equipment-based standard. However, in the case of solvent recovery operations such as distillation operations, defining a process by product would mean that each

separately recovered product would be a separate process, which would result in fewer "processes" triggering the control requirement for the same equipment. The same is true for nondedicated formulation operations, where various finished materials could be formulated for shipment or as final product. Considering these two types of nondedicated operations as single processes also likely reflects the way in which these operations are managed and permitted. Further, we think respondents reported their data following this convention. Often, these operations will vary only in the type of HAP used. If the same HAP solvent is used for a variety of products, the emission stream characteristics per batch will essentially be the same. Therefore, considering a number of these operations as a single process actually simplifies recordkeeping. Note, however, that the final rule contains two key exemptions for batch process vents that may exempt many of the emission sources contributing to "minimal" emissions that the commenter is describing (i.e., 50 ppmv or 200 lb/yr).

Although our proposed definition excluded "mixing," we meant to exclude "mixing of coatings," since this operation is to be covered by 40 CFR part 63, subpart HHHHH. When a product is blended or mixed with other materials in equipment that is dedicated to the manufacture of a single product, the mixing is included as part of the miscellaneous organic chemical manufacturing process.

We wanted to limit nondedicated solvent and formulation processes to related operations within the same area, which is the reason for the language regarding "contiguous operations." However, we agree with one of the commenters that the term contiguous also conveys other meanings and, therefore, have revised the definition to refer to "each nondedicated solvent recovery (or formulation) operation." The intent is to limit the process to operations located within a distinct operating area.

We agree that nonroutine cleaning operations involving vessel openings should not be considered as part of a process because they are difficult to characterize within a standard batch. These emissions would be attributed to startup and shutdown events, which are addressed separately in the final rule. In some instances, however, cleaning that is conducted within enclosed equipment between batches or between campaigns should be considered part of a process; these operations often consist of conducting solvent rinses through the equipment. Emissions from these