

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 63

[OAR-2003-0005-FRL-7546-8]

RIN 2060-AG96

National Emission Standards for Hazardous Air Pollutants: Surface Coating of Metal Cans

AGENCY: Environmental Protection Agency (EPA).

ACTION: Final rule.

SUMMARY: This action promulgates national emission standards for hazardous air pollutants (NESHAP) for metal can surface coating operations located at major sources of hazardous air pollutants (HAP). The final standards implement section 112(d) of the Clean Air Act (CAA) by requiring these operations to meet HAP emission standards reflecting the application of the maximum achievable control technology (MACT). The final rule will protect air quality and promote public health by reducing emissions of HAP from facilities in the metal can surface coating source category. The HAP emitted by these facilities include ethylene glycol monobutyl ether (EGBE) and other glycol ethers, xylenes, hexane, methyl isobutyl ketone (MIBK), and methyl ethyl ketone (MEK). These HAP are associated with a variety of adverse health effects which include chronic health disorders (e.g., birth defects and effects on the central nervous system,

liver, and heart) and acute health disorders (e.g., irritation of the lung, skin, and mucous membranes, and effects on the central nervous system), and possibly cancer. In general, these findings have only been shown with concentrations higher than those typically found in the ambient air. The final standards are expected to reduce nationwide HAP emissions from major sources in this source category by approximately 6,160 megagrams per year (Mg/yr) (6,800 tons per year (tpy)) or 70 percent from the baseline organic HAP emissions of 8,700 Mg/yr (9,600 tpy).

DATES: This rule is effective November 13, 2003. The incorporation by reference of certain publications listed in today's final rule is approved by the Director of the Federal Register as of November 13, 2003.

ADDRESSES: *Docket.* Docket ID No. OAR-2003-0005 (formerly Docket No. A-98-41) is located at the EPA Docket Center, EPA West, U.S. EPA (6102T), 1301 Constitution Avenue, NW., Washington, DC 20460.

Background Information Document. A background information document (BID) for the promulgated NESHAP may be obtained from the docket; the U.S. EPA Library (C267-01), Research Triangle Park, NC 27711, telephone number (919) 541-2777; or from the National Technical Information Service, 5285 Port Royal Road, Springfield, VA 22161, telephone number (703) 487-4650. Refer to "National Emission Standards for

Hazardous Air Pollutants: Surface Coating of Metal Cans Background Information for Final Standards—Summary of Public Comments and Responses" (EPA-453/R-03-009). The promulgation BID contains a summary of public comments made on the proposed standards and EPA responses to the public comments.

FOR FURTHER INFORMATION CONTACT: Mr. Paul Almodovar, Coatings and Consumer Products Group, Emission Standards Division (C539-03), U.S. EPA, Research Triangle Park, NC 27711; telephone number (919) 541-0283; facsimile number (919) 541-5689; electronic mail address: almodovar.paul@epa.gov.

SUPPLEMENTARY INFORMATION: *Regulated Entities.* The source category definition includes facilities that apply coatings during any stage of the can manufacturing process to metal cans or ends (including decorative tins) or to metal crowns or closures for any type of can body. In general, facilities that coat metal cans are covered under the North American Industrial Classification System (NAICS) codes listed in Table 1 of this preamble. However, facilities classified under other NAICS codes may be subject to the final standards if they meet the applicability criteria. Not all facilities classified under the NAICS codes in the following table will be subject to the standards because some of the classifications cover products outside the scope of the NESHAP for the surface coating of metal cans.

TABLE 1.—CATEGORIES AND ENTITIES POTENTIALLY REGULATED BY THE FINAL 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 coatings	332431, 332812	End manufacturing facilities.

This table is not intended to be exhaustive, but rather provides a guide for readers regarding entities likely to be regulated by this action. To determine whether your coating operation is regulated by this action, you should examine the applicability criteria in § 63.3481 of the final rule.

Docket. The EPA has established an official public docket for this action under Docket ID No. OAR-2003-0005 (formerly Docket No. A-98-41). The official public docket consists of the documents specifically referenced in this action, any public comments received, and other information related

to this action. Although a part of the official docket, the public docket does not include confidential business information or other information whose disclosure is restricted by statute. The official public docket is the collection of materials that is available for public viewing at the EPA Docket Center, EPA West, Room B-102, 1301 Constitution Avenue, NW., Washington, DC 20460. The Docket Center is open from 8:30 a.m. to 4:30 p.m., Monday through Friday, excluding legal holidays. The telephone number for the Reading Room is (202) 566-1744, and the telephone number for the Docket Center is (202)

566-1742. A reasonable fee may be charged for copying docket materials.

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An electronic version of the public docket is available through EPA's electronic public docket and comment system, EPA Dockets. You may use EPA Dockets at <http://www.epa.gov/edocket/> to view public comments, access the index listing of the contents of the official public docket, and to access those documents in the public docket