

pressure drop of the dilute stream across the concentrator.

All site-specific parameter limits that you establish must reflect operation of the capture system and control devices during a performance test that demonstrates achievement of the emission limits during representative operating conditions.

Work Practice Standards. In lieu of emission standards, section 112(h) of the CAA allows work practice standards or other requirements to be established when a pollutant cannot be emitted through a conveyance or capture system or when measurement is not practicable because of technological and economic limitations. Many metal can surface coating facilities use work practice measures to reduce HAP emissions from mixing, cleaning, storage, and waste handling areas as part of their standard operating procedures. They use those measures to decrease solvent usage and minimize exposure to workers. However, we do not have data to accurately quantify the emissions reductions achievable by the work practice measures, and it is not feasible to measure emissions or enforce a numerical standard for emissions from those operations.

Based on information received from the metal can industry during the development of the NESHAP and information available from several similar coating industries for which NESHAP have already been promulgated, we identified a variety of work practice measures for cleaning, storage, mixing, and waste handling. If you use a capture system and add-on control device to reduce emissions, you are required to develop and implement a work practice plan that specifies practices and procedures to ensure that, at a minimum, all organic-HAP-containing liquids and waste materials are stored in closed containers; spills of all organic-HAP-containing materials are minimized; closed containers or pipes are used to transport all organic-HAP-containing materials; mixing vessels for organic-HAP-containing materials are kept closed except when adding to, removing, or mixing the contents; and organic HAP emissions are minimized during all cleaning operations.

If your affected source has an existing, documented plan that incorporates steps taken to minimize emissions from the aforementioned sources, then your existing plan may be used to satisfy the requirement for a work practice plan.

Operations during Startup, Shutdown, or Malfunction. If you use a capture system and add-on control device for compliance, you are required to develop

and operate according to a startup, shutdown, and malfunction plan (SSMP) during periods of startup, shutdown, or malfunction (SSM) of the capture system and add-on control device.

The NESHAP General Provisions at 40 CFR part 63, subpart A, codify certain procedures and criteria for all 40 CFR part 63 NESHAP and apply to you as indicated in the final rule. The General Provisions contain administrative procedures, preconstruction review procedures for new sources, and procedures for conducting compliance-related activities, such as notifications, recordkeeping and reporting, performance testing, and monitoring. The final rule refers to individual sections of the General Provisions to emphasize key sections that are relevant. However, unless specifically overridden in the final rule, all of the applicable General Provisions requirements apply to you.

D. What Are the Testing and Initial Compliance Requirements?

Existing affected sources must be in compliance with the final rule no later than November 13, 2006. New and reconstructed affected sources must be in compliance upon initial startup of the affected source or by November 13, 2003, whichever is later. However, affected sources are not required to demonstrate compliance until the end of the initial compliance period when they will have accumulated the necessary records to document the rolling 12-month organic HAP emission rate.

Compliance with the emission limits is based on a rolling 12-month organic HAP emission rate determined each month. Each 12-month period is a compliance period. The initial compliance period, therefore, is the 12-month period beginning on the compliance date. If the compliance date occurs on any day other than the first day of a month, then the initial compliance period begins on the compliance date and extends through the end of that month plus the following 12 months. In other words, the initial compliance period could be almost 13 months long, but all subsequent compliance periods will be 12 months long. We have defined "month" as a calendar month or a pre-specified period of 28 to 35 days to allow for flexibility at sources where data are based on a business accounting period.

Being "in compliance" means that the owner or operator of the affected source meets the requirements to achieve the final emission limitations during the initial compliance period. However, the owner or operator will not have

accumulated the records for the rolling 12-month organic HAP emission rate until the end of the initial compliance period. At the end of the initial compliance period, the owner or operator uses the data and records generated to determine whether or not the affected source is in compliance with the organic HAP emission limit and other applicable requirements for that period. If the affected source does not meet the applicable limit and other requirements, it is out of compliance for the entire compliance period.

Emission Limits. There are four options for complying with the emission limits, and the testing and initial compliance requirements vary accordingly.

Option 1: Compliance Based on the Compliant Material Option. If you demonstrate compliance based on the compliant material option, you must determine the mass of organic HAP in all coatings and thinners used each month during the initial compliance period and the volume fraction of coating solids in all coatings used each month during the initial compliance period. To determine the mass of organic HAP in coatings and thinners and the volume fraction of coating solids, you may use either manufacturer's data or test results using the test methods listed below. You may use alternative test methods provided that you get EPA approval in accordance with 40 CFR 63.7(f). However, 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 will prevail for compliance and enforcement purposes unless, after consultation, you can demonstrate to the satisfaction of the enforcement agency that the formulation data are correct.

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

- The final rule allows you to use nonaqueous volatile matter as a surrogate for organic HAP. If you choose that option, then use Method 24 of 40 CFR part 60, appendix A, to determine nonaqueous volatile matter.

- For volume fraction of coating solids, use either information from the supplier or manufacturer of the material, American Society of Testing and Materials (ASTM) Method D2697–86(1998), or ASTM Method D6093–97.

To demonstrate initial compliance based on the compliant materials option, you are required to demonstrate that the organic HAP content of each coating meets the applicable emission