opportunity to comment on the draft

The proposed rule was published in the **Federal Register** on May 16, 1994 (59 FR 25387). The preamble to the proposal discussed the availability of the proposal BID (Emissions from Epoxy Resins Production and Non-Nylon Polyamides Production—Information for Proposed Standards (EPA–493/R–94–033a)), which describes in detail the regulatory alternatives considered and the impacts associated with those alternatives. Public comments were solicited at the time of proposal, and copies of the proposal BID were made available to interested parties.

The public comment period ended on July 15, 1994. A total of 11 comment letters were received. The comments were carefully considered, and, where determined by the Administrator to be appropriate, changes were made in the final rule.

Comments on the proposed rule were received from BLR and WSR manufacturers, State and local air pollution control agencies, and environmental organizations. A detailed discussion of these comments and responses can be found in the promulgation BID (see ADDRESSES section). The summary of comments and responses in the promulgation BID serves as the basis for the revisions that have been made to the rule between proposal and promulgation. The major comments and responses are summarized in this preamble.

For the purpose of orderly presentation, the comments have been categorized in the promulgation BID under the following topics:

- 1. Applicability of the Standard;
- 2. Description of Emission Control Technology;
 - 3. Selection of MACT;
 - 4. Selection of Compliance Dates;
- 5. Selection of Emission Limits or Equipment/Work Practice Specifications:
- 6. Selection of Compliance Methods and Monitoring Requirements;
- 7. Selection of Reporting and Recordkeeping Requirements:
- Recordkeeping Requirements; 8. Interaction of Polymers and Resins II NESHAP with the General Provisions;
 - 9. Wording of the Standard; and 10. Miscellaneous.
- B. Summary of Significant Comments and Changes

In response to public comments and as a result of additional evaluation by EPA, changes have been made to the standards. Significant changes are summarized below, and are explained fully in the promulgation BID.

1. Several commenters objected to the format of the standard for new BLR

sources. The commenters pointed out the inflexibility of the equipment standard, which would have required certain control technology (water scrubbers) and venting configurations (manifolding all vents to common control), rather than allowing owners and operators the flexibility of controlling the process in a manner of their own choosing. In response to these comments, formats for the new source maximum achievable control technology (MACT) requirements for process vents, wastewater, and storage tank emissions for BLR and WSR have been changed. For BLR facilities, the standard is a 98 percent reduction of HAP from the sum of uncontrolled process vents, storage, and wastewater systems emission points or an emission limit of 5,000 pounds per year (lb/yr) HAP from the sum of process vents, storage, and wastewater systems emission points. For WSR, the requirement is a limit of 7 lb of HAP per million (MM) lb resin production from the sum of process vents, storage, and wastewater systems emission points. These changes in format for new source MACT requirements reflect the same level of control as the proposed equipment standard requirements.

2. One commenter argued that the methods proposed for determining emissions from storage tanks and wastewater systems, which were referenced from the emissions averaging section of the Hazardous Organic NESHAP (HON) are not appropriate for this regulation. Upon further review, EPA agrees with the commenter's arguments concerning estimating emissions from wastewater, but not those concerning storage tanks. Consequently, the methods of calculating emissions and determining the effectiveness of certain control measures on wastewater emission points have been corrected and now specify methodologies contained in the HON, appendix C. The required emission estimation methods for storage tanks did not change.

3. One commenter stated that sampling frequencies specified in the proposed performance test guidelines are not feasible for BLR sources. The EPA has reexamined the proposed sampling guidelines and agrees with the commenter's argument. Therefore, the frequency of flowrate and concentration sampling of emission stream characteristics during a performance test has been reduced. For continuous BLR emission points, sampling at 15-minute intervals for flowrate and concentration or 1-hour time-integrated sampling of concentration have replaced the requirement of simultaneous minute-by-

minute measurements of flowrate and concentration. For WSR, sampling of flowrate every 15 minutes, or least once per batch step, and integrated concentration measurements over each step have replaced the minute-byminute flowrate and concentration measurements. In addition, EPA has decided not to require three test runs for WSR process vents, due to the dynamic nature of batch emission stream characteristics. The data obtained from a batch test run may be representative of only that batch; therefore, running repeat tests may not be justified. The EPA has also specified that owners or operators of WSR sources perform a maximum of 8 hours of testing for batch emission episodes of duration greater than 8 hours. This provision was included to prevent the possibility of excessive testing costs for owners of batch processes containing very long emission episodes. Finally, the EPA has decided to allow owners or operators of WSR sources to test intermittently if they can provide evidence that the periods tested represent periods in which emissions are greater than the average emissions over the batch emission episode.

4. In response to comments relating to the averaging period for ongoing compliance determination, the averaging period for measurements taken to verify continuous compliance for continuous BLR sources has been increased from 1 hour to 24 hours. The target values for comparison of these continuous compliance measurements are the average of the maximum or minimum values obtained from the three 1-hour performance tests. The 24hour averaging period results in an average obtained over 96, 15-minute readings. The EPA believes that calculating an average over 96 readings will sufficiently diminish the effect of excursions on the value of the average.

5. Two commenters stated that the de minimis levels specified in the HON for process vents, storage tanks, and wastewater systems are appropriate for BLR sources and should be included in the final rule. Because EPA has decided to change the format of the standard for new BLR sources to a 98 percent overall reduction from the total of uncontrolled process vents, storage tanks and wastewater systems or an absolute cap of 2.27 Mg/yr (5,000 lb/yr) from the total of these emission sources, EPA does not believe de minimis levels for controlling emission points are necessary, as owners and operators will be afforded the flexibility of deciding the degree of control for a particular emission point, provided that compliance with the overall emission limit is achieved.