they maintained records demonstrating they were below the cutoffs.

In the final rule, these provisions are modified to ensure that they can serve the purpose of exempting a facility from the standard by limiting its potential to emit HAP to area source levels. A facility that otherwise would be a major source can, at the option of the owner or operator, become an area source exempt from other provisions of the rule by meeting the usage limits and associated criteria. The usage limits ensure that the facility's potential and actual emissions of HAP are below the major source thresholds of 10 tons of a single HAP or 25 tons of a combination of HAP. (The EPA expects that the usage limits will keep actual emissions from most facilities substantially below the major thresholds.)

To qualify as an area source under these provisions, at least 90 percent of annual HAP emissions from the plant site must come from finishing materials, adhesives, cleaning solvents, and washoff solvents. If the plant site has sources of HAP emissions other than these materials, the owner or operator must keep any records necessary to demonstrate that the facility meets the

90 percent criterion. A facility may exceed the users limits and still remain an area source exempt from the standard if, before exceeding the limit, the facility obtains other limits that keep its potential to emit HAP below the major threshold. Otherwise, a facility that exceeds the usage limits becomes a major source and thereafter must comply with the standard starting with the applicable compliance date in the rule. These provisions prevent facilities from vacillating between areasource and major-source status while evading major source requirements. Also, these provisions make it possible from a legal standpoint to consider the usage cutoff levels as limiting a source's potential to emit HAP.

The EPA also requested comment on other mechanisms that could be used to exempt smaller sources from the regulation. Unless such a mechanism is provided in the standards or by State and local permitting authorities, many of these smaller facilities will have to enter the Title V permitting process in order to obtain a Federally enforceable limitation on their potential to emit. This would impose a substantial burden on many smaller facilities and on the State and local permitting agencies.

In response to the EPA request for comment, several commenters indicated that a reasonable mechanism to exempt these sources would be to establish an applicability cutoff based on total emissions of HAP materials, instead of

material usage in gallons. The EPA has included such a mechanism in the promulgated standards, again structured as an optional way for facilities to limit their potential to emit. Facilities that otherwise would be major sources are considered area sources if they meet the limits and criteria in the rule. To qualify, a facility must use materials containing no more than 4.5 Mg (5 tons) of any one HAP per rolling 12-month period or no more than 11.4 Mg (12.5 tons) of any combination of HAP per rolling 12-month period, including materials from source categories other than wood furniture. Also, at least 90 percent of their plantwide emissions per rolling 12-month period need to be associated with the manufacture of wood furniture or wood furniture components. These sources need to maintain records that demonstrate that annual emissions do not exceed these levels, including monthly usage records for all finishing, gluing, cleaning, and washoff materials; certified product data sheets for these materials; and any other records necessary to document emissions from source categories other than wood furniture.

3. Inclusion of Custom Cabinet Manufacturers Operating Under Standard Industrial Classification (SIC) Code 5712

Under the proposed standards, sources under any of nine SIC codes were considered wood furniture manufacturers. The SIC codes included 2434, which includes manufacturers of kitchen cabinets. However, one commenter pointed out that manufacturers of custom kitchen cabinets are included in SIC Code 5712. The commenter felt that the operations at these sources were not significantly different than those operating under SIC Code 2434 and that these sources should also be subject to the standards. The EPA agrees with the commenter, and the promulgated standards include custom kitchen cabinet manufacturers operating under SIC Code 5712.

4. Inclusion of Definitions for Wood Furniture and Wood Furniture Component

Two commenters requested that the EPA include definitions for "wood furniture" and "wood furniture component" in the rule. The EPA agrees that these definitions will help clarify which sources are subject to the rule and has included these definitions in the final rule.

5. Change in Title of the Formulation Assessment Plan

Because the formulation assessment plan only applies to VHAP of potential concern that are present in finishing materials, one commenter suggested that the title be changed to formulation assessment plan for finishing operations. The EPA agrees that this clarifies the scope of the formulation assessment plan and in the final rule the title is changed to Formulation Assessment plan for Finishing Operations.

6. Timeframe for Submitting Initial Notification

Several commenters requested that the date for submission of the initial notification be extended. One commenter requested that the date for submittal of the initial notification be extended to 270 days and two commenters requested that the date be extended to 180 days. The EPA agrees with the commenters and has extended the date for submittal of the initial notification to 270 days after the effective date of the final rule.

## 7. Compliance Options

The proposed rule allowed facilities to use one of four methods to demonstrate compliance with the standard: compliant coatings, averaging, an add-on control device, or a combination of compliant coatings and an add-on control device. The proposed rule did not allow facilities to use a combination of an add-on control device and averaging. One commenter pointed out that this should also be a compliance option. In some facilities, emissions from only one or two finishing lines will be directed to the control device. The emission reductions from these lines will typically be much greater than the reductions required for a facility using compliant coatings. These facilities would like to be allowed to average these "overcontrolled" finishing lines with uncontrolled lines. The EPA believes this is consistent with the regulatory negotiation agreement and with the CAA, both of which state that a facility should be able to use any compliance method that they can demonstrate achieves an equivalent level of reductions. Therefore, the EPA has included this compliance option in the final rule.

8. Guidelines for Determining Capture Efficiency

Since the wood furniture NESHAP was proposed, the EPA has released additional guidance on determining capture efficiency. This guidance allows facilities to use any method of