



Jeb Bush
Governor

Department of Environmental Protection

Twin Towers Office Building
2600 Blair Stone Road
Tallahassee, Florida 32399-2400

David B. Struhs
Secretary

November 13, 2003

Mr. Hocutt Phillips
Vice President Operations
Reichhold
PO Box 13582
Research Triangle Park, NC 27709

Re: Final National Emission Standards for Hazardous Air Pollutants (NESHAP):
Miscellaneous Organic Chemical Manufacturing

Dear Mr. Phillips:

You indicated, in the 112(j) notification that you submitted last year, that the **Reichhold Pensacola Plant** might be subject to the NESHAP (40 CFR 63 Subpart FFFF) for Miscellaneous Organic Chemical Manufacturing. You may be interested in knowing that the USEPA published the **final** NESHAP regulation for this source category in the Federal Register on November 10, 2003. Therefore, 112(j) requirements no longer apply to Miscellaneous Organic Chemical Manufacturing emissions units.

If you are interested in reading the final standards, the NESHAP and a Fact Sheet explaining the standards may be accessed through the USEPA website at <http://www.epa.gov/ttn/atw/mon/monpg.html>.

If you do not have access to the Internet, and would like to receive a paper copy of the final standards in the mail, please contact Mr. Bobby Bull at (850) 921-9585 or Robert.Bull@dep.state.fl.us.

"Existing" affected sources must be in compliance with Subpart FFFF standards by November 10, 2006. For the purposes of Subpart FFFF, affected sources are "existing" if construction or reconstruction of the affected source commenced before April 5, 2002.

Since you also indicated in the 112(j) notification that the Reichhold Pensacola Plant might be subject to Subpart DDDDD-I/C/I Boilers and Process Heaters, the Reichhold Pensacola Plant may still be required to submit a 112(j) MACT Title V permit revision application by April 28, 2004 for the affected emissions units; unless this proposed subpart is final by then.

If you have any questions concerning this information, please contact me at (850)921-9534 or Cindy.Phillips@dep.state.fl.us.

Sincerely,

Cindy L. Phillips, P.E., Bureau of Air Regulation

c: Hersch Craven, Reichhold LLC - Pensacola
Sandra Veazey, FDEP-NWD

"More Protection, Less Process"

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May 10, 2002

RECEIVED

MAY 15 2002

CERTIFIED MAIL

7001 1940 0004 7590 9826

Ms. Cindy Phillips, P.E.
FDEP, Bureau of Air Regulation
MS 5505
2600 Blair Stone Road
Tallahassee, FL 32399-2400

BUREAU OF AIR REGULATION

**RE: Reichhold LLC
Pensacola Plant
Title V Permit Number: 0330043-001-AV
Part I Notification Application**

Dear Ms. Phillips:


Enclosed is a Part I Section 112(j) Notification Application communicating that Reichhold has reasonably determined that the Miscellaneous Organic Chemical Manufacturing NESHAP, Subpart FFFF is potentially applicable to Reichhold LLC facility located in Pensacola, Florida (Title V Permit Number: 0330043-001-AV).

Reichhold is also requesting that the Florida Department of Environmental Protection conduct an **applicability determination** for the Pensacola facility concerning the Industrial, Commercial and Institutional Boilers and Process Heaters NESHAP, Subpart DDDDD.

Per the requirements of 40 CFR §63.55(b), Reichhold is also providing copies of the Part 1 MACT application and this cover letter to US EPA Region IV.

Please feel free to contact Scott Irwin at (850) 433-7621 ext. 345 or Julie Fuell at (919) 990-7531 should you have any questions pertaining to the enclosed information.

Regards,


Hocutt Phillips
Vice President Operations

cc: Hersch Craven, Reichhold LLC – Pensacola
Scott Irwin, Reichhold LLC - Pensacola
Julie Fuell, Reichhold - Research Triangle Park
Mr. Doug Neeley, U.S. EPA Region IV

Enclosure



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MAY 15 2002

May 10, 2002

BUREAU OF AIR REGULATION CERTIFIED MAIL
7001 1940 0004 7590 9833

Mr. Doug Neeley
Air, Pesticides, and Toxics Management Division
USEPA Region IV
61 Forsyth Street, SW
Atlanta, GA 30303-8960

**RE: Reichhold LLC
Pensacola Plant
Title V Permit Number: 0330043-001-AV
Part I Notification Application**


Dear Mr. Neeley:

Enclosed is a Part I Section 112(j) Notification Application communicating that Reichhold has reasonably determined that the Miscellaneous Organic Chemical Manufacturing NESHAP, Subpart FFFF and the Industrial, Commercial is potentially applicable to Reichhold LLC facility located in Pensacola, Florida (Title V Permit Number: 0330043-001-AV).

Reichhold has requested that the Florida Department of Environmental Protection conduct an applicability determination for the Pensacola facility concerning the Industrial, Commercial and Institutional Boilers and Process Heaters NESHAP, Subpart DDDDD.

Please feel free to contact Scott Irwin at (850) 433-7621 ext. 345 or Julie Fuell at (919) 990-7531 should you have any questions pertaining to the enclosed information.

Regards,


Hocutt Phillips
Vice President Operations

cc: Hersch Craven, Reichhold LLC – Pensacola
Scott Irwin, Reichhold LLC - Pensacola
Julie Fuell, Reichhold - Research Triangle Park
Cindy Phillips, Florida Department of Environmental Protection

Enclosure



Part I Section 112(j) - Initial Notification Form
40 CFR Part 63 - National Emission Standards for Hazardous Air Pollutants

1a. Name of Facility
(40 CFR §63.53(a)(1))

Reichhold LLC

b. Facility ID (Title V)

0330043-001-AV

2a. Physical Location of Facility
(40 CFR §63.53(a)(1))

Address: 425 S. Pace Blvd.

City: Pensacola

County: USA

State: FL

Zip: 32501

b. Mailing Address (if different than Physical Location)

Address: Same

City:

County:

State:

Zip:

3. Is the facility a Major Source of Hazardous Air Pollutant (HAP) Emissions? (If no, then the remainder of this form need not be completed.)

Yes

No*

Request Applicability Determination

a. Do you currently have or are you in the process of obtaining a federally enforceable permit limit for HAPs? (If yes, please provide information below)

Yes*

No

Not Applicable

*This assertion of non-applicability is based upon reasonable belief that the facility or respective emission units are exempt from MACT standards for the relevant source categories. Therefore, a Part 2 Application will not be submitted unless and until the State agency notifies the applicant to do so.

4. Do you own or operate a facility that maybe subject to any of the following 40 CFR Part 63 NESHAPs: (40 CFR §63.53(a)(2))

Miscellaneous Coating Manufacturing NESHAP, Subpart HHHHH

Yes

No

Request Applicability Determination

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BUREAU OF AIR REGULATION

Miscellaneous Organic Chemical Production & Processes (MON), Subpart FFFF

Yes No

Request Applicability Determination

Organic Liquid Distribution, Subpart EEEE

Yes No

Request Applicability Determination

Site Remediation, Subpart GGGGG

Yes No

Request Applicability Determination

Industrial, Commercial and Institutional Boilers and Process Heaters, Subpart DDDDD

Yes No

Request Applicability Determination

Other: _____

Yes No

5. Brief description of the major source and the types of source(s) belonging to the relevant source category. (40 CFR §63.53(a)(2) and (3))

The Reichhold Pensacola plant is a manufacturer of alkyd and epoxy resins for the coatings industry. Reichhold has reasonably determined that the Polymers and Resin Production category of the MON (NESHAP Subpart FFFF) and the Industrial Boiler category of the Industrial, Commercial and Institutional boilers and Process Heaters NESHAP (NESHAP Subpart DDDD) are potentially applicable to the Pensacola plant. Following are the sources that may be related to the NESHAP subparts identified:

Subpart FFFF	Subpart DDDD
• Storage tanks,	• Boiler #11 33.6 MM Btu
• Reactors,	• Boiler #12 33.6 MM Btu
• Thinning tanks,	• Dowtherm Boiler 14MM Btu
• Weigh tanks,	• R-7 burner 7MM Btu
• Scrubber control systems,	
• Loading / Unloading facilities, and	
• Fugitive emissions sources.	

6. Has a 112(g) determination been made for your facility? (40 CFR §63.53(a)(4))

Yes No

Request Applicability Determination

7. Signature

I certify that the information contained in this form to be accurate and true to the best of my knowledge.

Authorized Signature:

Hocutt Phillips

Title of Signatory:

Vice President of Operations

Typed or Printed Name of Signatory:

Hocutt Phillips

Contact Information -

Phone:

(919) 558-2761

Email:

hocutt.phillips@reichhold.com

Date:

May 13, 2002



Jeb Bush
Governor

Department of Environmental Protection

Marjory Stoneman Douglas Building
3900 Commonwealth Boulevard
Tallahassee, Florida 32399-3000

David B. Struhs
Secretary

June 13, 2002

Mr. Hocutt Phillips
Vice President Operations
Reichold LLC
P.O. Box 13582
Research Triangle Park, NC 27709

Re: Request for Determination of MACT Applicability - Pensacola Florida Plant

Dear Mr. Phillips:

In response to your letter received May 15, 2002 which requests that the Department make a determination of MACT applicability for the Pensacola Plant, I have attached Chapter 28-105, F.A.C., Declaratory Statements, which specifies the procedure that you must follow in order for us to comply with your request.

The Department's Agency Clerk is Kathy Carter. Her address is:

Kathy Carter, Agency Clerk
Florida Department of Environmental Protection
MS 35
3900 Commonwealth Boulevard
Tallahassee FL 32399-3000

Thank you for submitting the 112(j) notification information. Your information submittal appears to meet our current 112(j) requirements.

Please be aware that, although your letter refers to this information submittal as a "Section 112(j) Part 1 Permit Application," the Department does not recognize your submittal as a state permit application and has no plans to process it as such.

No further 112(j) information is needed from you at this time. If you have any questions, concerning this matter, please contact me at 850/921-9534.

Sincerely,

Cindy L. Phillips, P.E.
Bureau of Air Regulation

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CHAPTER 28-105, F.A.C.

DECLARATORY STATEMENTS

28-105.001 Purpose and Use of Declaratory Statement.

A declaratory statement is a means for resolving a controversy or answering questions or doubts concerning the applicability of statutory provisions, rules, or orders over which the agency has authority. A petition for declaratory statement may be used only to resolve questions or doubts as to how the statutes, rules, or orders may apply to the petitioner's particular circumstances. A declaratory statement is not the appropriate means for determining the conduct of another person or for obtaining a policy statement of general applicability from an agency. A petition for declaratory statement must describe the potential impact of statutes, rules, or orders upon the petitioner's interests.

28-105.002 The Petition.

A petition seeking a declaratory statement shall be filed with the clerk of agency that has the authority to interpret the statute, rule, or order at issue and shall provide the following information:

(1) The caption shall read:

Petition for Declaratory Statement

Before (Name of Agency)

(2) The name, address, telephone number, and any facsimile number of the petitioner.

(3) The name, address, telephone number, and any facsimile number of the attorney or qualified representative (if any) of the petitioner.

(4) The statutory provision(s), agency rule(s), or agency order(s) on which the declaratory statement is sought.

(5) A description of how the statutes, rules, or orders may substantially affect the petitioner in the petitioner's particular set of circumstances.

(6) The signature of the petitioner or of the petitioner's attorney or qualified representative.

(7) The date.

28-105.003 Agency Disposition.

The agency may hold a hearing to consider a petition for declaratory statement. If the agency is headed by a collegial body, it shall take action on a petition for declaratory statement only at a duly noticed public meeting. If a hearing is held, it shall be conducted in accordance with Sections 120.569 and 120.57(2), F.S. The agency may rely on the statements of fact set out in the petition without taking any position with regard to the validity of the facts. Within 90 days of the filing of the petition, the agency shall render a final order denying the petition or issuing a declaratory statement.