

Halpin, Mike

From: Halpin, Mike
Sent: Tuesday, July 01, 2003 9:29 AM
To: 'Jim Little (Little.James@epamail.epa.gov)'
Subject: Subpart Eb

Jim –

I received several comments on the Lee County Draft permit from RTP Associates, and would appreciate it if you would weigh in. Generally, they fall into 3 categories. Here are their contentions:

First, the proposed unit is not subject to NSPS Subpart Db (40 CFR 60.40b et. seq.) because NSPS facilities (i.e., units) subject to Subpart Eb are categorically exempt (40 CFR 60.40b(h)):

“(h) Affected facilities which meet the applicability requirements under subpart Eb (Standards of Performance for MWCs; §60.50b) are not subject to this subpart [i.e., Subpart Db].”

Second, the proposed unit is not subject to the NSPS Subpart E (40 CFR 60.50 et. seq.) because NSPS facilities (i.e., units) subject to Subpart Eb are categorically exempt (40 CFR 60.50b(c)):

“(c) An affected facility to which this subpart [i.e., Subpart Eb] applies is not subject to subpart E or Ea of this part.”

Third, the proposed unit is not subject to the Emissions Guidelines at NSPS Subpart Cb (40 CFR 60.40b et. seq.) since Subpart Cb is only applicable to “Large MWCs That are Constructed On or Before September 20, 1994.” While many Subpart Eb requirements are applicable to Subpart Cb facilities because they are included by reference, the reverse is not true.

Thanks
Mike

7/8/2003