

STATE OF FLORIDA DEPARTMENT  
OF ENVIRONMENTAL PROTECTION

CERTIFIED MAIL  
P 183 853 413

In the Matter of an  
Application for Permit by:  
Merillat Corporation  
5353 West U.S. No. 223  
Adrian, MI 49221

Marion County - AP  
Ocala Wood Furniture Manufacturing Facility  
DEP File Number: 0830137-001-AC

Attention: John D. Thurman, Vice President - Finance & Treasurer

INTENT TO ISSUE

The Department of Environmental Protection gives notice of its intent to issue a permit (copy attached) for the proposed project as detailed in the application specified above. The Central District is issuing this Intent to Issue for the reasons stated below.

The applicant, Merillat Corporation, applied on May 25, 1999, to the Department for a construction permit to construct a wood furniture manufacturing facility. This facility is located on SW 38<sup>th</sup> Street between SR 40 and SW 20<sup>th</sup> Street, Ocala, Marion County, Florida.

The Department has permitting jurisdiction under Section 403 Florida Statutes (F.S.) and Chapter 62-4.210 and Chapter 62-210.300 Florida Administrative Code (F.A.C.) The project is not exempt from permitting procedures. The Department has determined that a construction permit is required for the proposed work.

Pursuant to Section 403.815, F.S. and DEP Rule 62-103.150, F.A.C., you (the applicant) are required to publish at your own expense the enclosed Notice of Intent to Issue Permit. The Notice shall be published one time only within thirty (30) days, in the legal ad section of a newspaper of general circulation in the area affected. For the purpose of this rule, "publication in a newspaper of general circulation in the area affected" means publication in a newspaper meeting the requirements of Sections 50.011 and 50.031, F.S., in the county where the activity is to take place. Where there is more than one newspaper of general circulation in the county, the newspaper used must be one with significant circulation in the area that may be affected by the permit. If you are uncertain that a newspaper meets these requirements, please contact the Department at the address or telephone number listed below. The applicant shall provide proof of publication to the Department, at 3319 Maguire Boulevard, Suite 232, Orlando, FL 32803-3767 within seven days of publication. Failure to publish the notice and provide proof of publication within the allotted time may result in the denial of the permit.

The Department will issue the permit with the attached conditions unless a response received in accordance with the following procedures results in a different decision or significant change of terms or conditions.

The Department will accept written comments concerning the proposed permit issuance action for a period of 14 (fourteen) days from the date of publication of "PUBLIC NOTICE OF INTENT TO ISSUE CONSTRUCTION PERMIT." Written comments should be provided to the Central District office at 3319 Maguire Boulevard, Orlando, Florida 32803. Any written comments filed shall be made available for public inspection. If written comments received result in a significant change in the proposed agency action, the Department shall revise the proposed permit and require, if applicable, another Public Notice.

The Department will issue the permit with the attached conditions unless a timely petition for an administrative hearing is filed pursuant to Sections 120.569 and 120.57 F.S., before the deadline for filing a petition. The procedures for petitioning for a hearing are set forth below.

A person whose substantial interests are affected by the proposed permitting decision may petition for an administrative proceeding (hearing) under Sections 120.569 and 120.57 of the Florida Statutes. The petition must contain the information set forth below and must be filed (received in the Office of General Counsel to the Department at 3900 Commonwealth Boulevard, Mail Stop 35, Tallahassee, Florida, 32399-3000. Petitions filed by the permit applicant or any of the parties listed below must be filed within fourteen days of receipt of this notice of intent. Petitions filed by any persons other than those entitled to written notice under Section 120.60(3) of the Florida Statutes must be filed within fourteen days of publication of the public notice or within fourteen days of receipt of this notice of intent, whichever occurs first. Under Section 120.60(3), F.S., however, any person who asked the Department for notice of agency action may file a petition within fourteen days of receipt of that notice, regardless of the date of publication. A petitioner shall mail a copy of the petition to the applicant at the address indicated above at the address indicated above at the time of filing. The failure of any person to file a petition within the appropriate time period shall constitute a waiver of that person's right to request an administrative determination (hearing) under Sections 120.569 and 120.60(3), F.S., or to intervene in this proceeding and participate as a party to it. Any subsequent intervention will be only at the approval of the presiding officer upon the filing of a motion in compliance with Rule 28-106.205 of the Florida Administrative Code.

A petition that disputes the material facts on which the department's action is based must contain the following information:

- (a) The name and address of each agency affected and each agency's file or identification number, if known;
- (b) The name, address, and telephone number of the petitioner, the name, address, and telephone number of the petitioner's representative, if any, which shall be the address for service purposes during the course of the proceeding; and an explanation of how the petitioner's substantial interests will be affected by the agency determination;
- (c) A statement of how and when petitioner received notice of the agency action or proposed action;
- (d) A statement of all disputed issues of material fact. If there are none, the petition must so indicate;
- (e) A concise statement of the ultimate facts alleged, as well as the rules and statutes which entitle the petitioner to relief; and
- (f) A demand for relief.

A petition that does not dispute the material upon which the Department's action is based shall state that no such facts are in dispute and otherwise shall contain the same information as set forth above, as required by Rule 28-106.301, F.A.C.

Because the administrative hearing process is designed to formulate final agency action, the filing of a petition means that the Department's final action may be different from the position taken by it in this notice. Persons whose substantial interests will be affected by any such final decision of the Department on the application have the right to petition to become a party to the proceeding, in accordance with the requirements set forth above.

In addition to the above, a person subject to regulation has a right to apply for a variance from or waiver of the requirements of particular rules, on certain conditions, under section 120.542 of the Florida Statutes. The relief provided by this state statute applies only to state rules, not statutes, and not to any federal regulatory requirements. Applying for a variance or waiver does not substitute or extend the time for filing a petition for an administrative hearing or exercising any other right that a person may have in relation to the action proposed in this notice of intent.

The application for a variance or waiver is made by filing a petition with the Office of General Counsel of the Department, 3900 Commonwealth Boulevard, Mail Station 35, Tallahassee, Florida 32399-3000. The petition must specify the following information:

- (a) The name, address, and telephone number of the petitioner;
- (b) The name, address, and telephone number of the attorney or qualified representative of the petitioner, if any;
- (c) Each rule or portion of a rule from which a variance or waiver is requested;
- (d) The citation to the statute underlying (implemented by) the rule identified in (c) above;
- (e) The type of action requested;
- (f) The specific facts that would justify a variance or waiver for the petitioner;
- (g) The reason why the variance or waiver would serve the purposes of the underlying statute (implemented by the rule); and
- (h) A statement whether the variance or waiver is permanent or temporary and, if temporary, a statement of the dates showing the duration of the variance or waiver requested.

The Department will grant a variance or waiver when the petition demonstrates both that the application of the rule would create a substantial hardship or violate principles of fairness, as each of those terms is defined in section 120.542(2) of the Florida Statutes, and that the purpose of the underlying statute will be or has been achieved by other means by the petitioner.

Persons subject to regulation pursuant to any federally delegated or approved air program should be aware that Florida is specifically not authorized to issue variances or waivers from any requirements of any such federally delegated or approved program. The requirements of the program remain fully enforceable by the Administrator of EPA and by any person under the Clean Air Act unless and until the Administrator separately approves any variance or waiver in accordance with the procedures of the federal program.

P 183 853 413

US Postal Service  
**Receipt for Certified Mail**

No Insurance Coverage Provided.

Do not use for International Mail (See reverse)

PS Form 3800, April 1995

Sent to JOHN D THURMAN VP FINANCE	
Street & Number MERRILLAT CORPORATION	
Post Office, State, & ZIP Code 5353 WEST US 223 ADRIAN MI 49221	
Postage	\$
Certified Fee	
Special Delivery Fee	
Restricted Delivery Fee	
Return Receipt Showing to Whom & Date Delivered	
Return Receipt Showing to Whom, Date, & Addressee's Address	
TOTAL Postage & Fees	\$
Postmark or Date MARION 0830137-001-AC MERRILLAT CORPORATION	

Is your RETURN ADDRESS completed on the reverse side?

**SENDER:**

- Complete items 1 and/or 2 for additional services.
- Complete items 3, 4a, and 4b.
- Print your name and address on the reverse of this form so that we can return this card to you.
- Attach this form to the front of the mailpiece, or on the back if space does not permit.
- Write "Return Receipt Requested" on the mailpiece below the article number.
- The Return Receipt will show to whom the article was delivered and the date delivered.

I also wish to receive the following services (for an extra fee):

- Addressee's Address
- Restricted Delivery

Consult postmaster for fee.

3. Article Addressed to:

JOHN D THURMAN  
VICE PRESIDENT - FINANCE & TREASURER  
MERRILLAT CORPORATION  
5353 WEST U S 223  
ADRIAN MI 49221

4a. Article Number  
P 183 853 413

4b. Service Type

Registered XX Certified

Express Mail  Insured


Return Receipt for Merchandise **RETURN RECEIPT REQUESTED**

7. Date of Delivery  
JUL 20 1999

5. Received By: (Print Name)

8. Addressee's Address (Only if requested and fee is paid)  
MARION

6. Signature: (Addressee or Agent)

X 

0830137-001-AC INTENT  
JE MLE

Thank you for using Return Receipt Service.

UNITED STATES POSTAL SERVICE



First-Class Mail  
Postage & Fees Paid  
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• Print your name, address, and ZIP Code in this box •

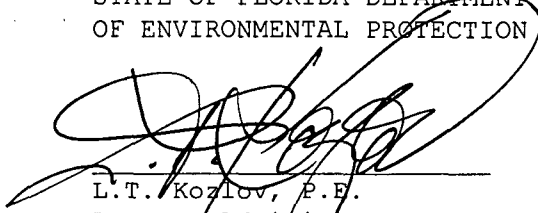
STATE OF FLORIDA  
DEPARTMENT OF ENVIRONMENTAL PROTECTION  
CENTRAL DISTRICT

3319 MAGUIRE BLVD., SUITE 232  
ORLANDO, FL 32803-3767



Executed in Orlando, Florida.

STATE OF FLORIDA DEPARTMENT  
OF ENVIRONMENTAL PROTECTION



L.T. Kozlov, P.E.  
Program Administrator  
Air Resources Management  
3319 Maguire Boulevard  
Suite 232  
Orlando, Florida 32803-3767

DATE: 7-16-99

FILING AND ACKNOWLEDGMENT FILED,  
on this date, pursuant to Section  
120.52(7), Florida Statutes, with the  
designated Department Clerk, receipt of  
which is hereby acknowledged.

Dina Jones July 16, 1999  
Clerk Date

AK  
WJE

LTK/wje

Enclosures: Draft Permit  
Notice of Intent

Copies furnished to:  
Victor A. Hurlburt, P.E. - Malcolm Pirnie, Inc.  
Joel S. Cohn, P.E. - Malcolm Pirnie, Inc.  
Jim Olszewski - Merillat Industries, Manager of Facilities, Engineering &  
Environmental Services

CERTIFICATE OF SERVICE

This is to certify that this INTENT TO ISSUE and all copies were mailed before  
the close of business on July 16, 1999 to the listed persons by

Mary Lou Edwards

STATE OF FLORIDA  
DEPARTMENT OF ENVIRONMENTAL PROTECTION  
PUBLIC NOTICE OF INTENT TO ISSUE CONSTRUCTION PERMIT

The Department of Environmental Protection gives notice of its intent to issue a permit to Merrillat Corporation, 5353 West U.S. No. 223, Adrian, MI, 49221, to construct operations of a wood furniture manufacturing facility, which is a source of air emissions and subject to National Emission Standards for Hazardous Air Pollutants (NESHAPS), Title 40, Code of Federal Regulations (CFR), Part 63 - Subpart JJ. These operations are part of a new facility which is located on SW 38<sup>th</sup> Street between SR 40 and SW 20<sup>th</sup> Street, Ocala, Marion County, Florida. The Department has assigned File Number 0830137-001-AC to the project.

The Department will issue the permit with the attached conditions unless a response received in accordance with the following procedures results in a different decision or significant change of terms or conditions.

The Department will accept written comments concerning the proposed permit issuance action for a period of 14 days from the date of publication of "PUBLIC NOTICE OF INTENT TO ISSUE CONSTRUCTION PERMIT." Written comments should be provided to the District office at 3319 Maguire Boulevard, Suite 232, Orlando, Florida 32803. Any written comments filed shall be made available for public inspection. If written comments received result in a significant change in the proposed agency action, the Department shall revise the proposed permit and require, if applicable, another Public Notice.

The Department will issue the permit with the attached conditions unless a timely petition for an administrative hearing is filed pursuant to Sections 120.569 and 120.57 Florida Statutes (F.S.), before the deadline for filing a petition. The procedures for petitioning for a hearing are set forth below.

A person whose substantial interests are affected by the proposed permitting decision may petition for an administrative proceeding (hearing) under Sections 120.569 and 120.57 of the Florida Statutes. The petition must contain the information set forth below and must be filed (received) in the Office of General Counsel of the Department at 3900 Commonwealth Boulevard, Mail Station 35, Tallahassee, Florida, 32399-3000. Petitions filed by the permit applicant or any of the parties listed below must be filed within 14 days of receipt of this notice of intent. Petitions filed by any persons other than those entitled to written notice under Section 120.60(3) of the Florida Statutes must be filed within 14 days of publication of the public notice or within 14 days of receipt of this notice of intent, whichever occurs first. Under Section 120.60(3), F.S., however, any person who asked the Department for notice of agency action may file a petition within 14 days of receipt of that notice, regardless of the date of publication. A petitioner shall mail a copy of the petition to the applicant at the address indicated above at the time of filing. The failure of any person to file a petition within the appropriate time period shall constitute a waiver of that person's right to request an administrative determination (hearing) under Sections 120.569 and 120.57 F.S., or to intervene in this proceeding and participate as a party to it. Any subsequent intervention will be only at the approval of the presiding officer upon the filing of a motion in compliance with Rule 28-106.205 of the Florida Administrative Code (F.A.C.).

A petition that disputes the material facts on which the Department's action is based must contain the following information:

- (a) The name and address of each agency affected and each agency's file or identification number, if known;
- (b) The name, address, and telephone number of the petitioner, the name, address, and telephone number of the petitioner's representative, if any, which shall be the address for service purposes during the course of the proceeding; and an explanation of how the petitioner's substantial interests will be affected by the agency determination;
- (c) A statement of how and when petitioner received notice of the agency action or proposed action;
- (d) A statement of all disputed issues of material fact. If there are none, the petition must so indicate;
- (e) A concise statement of the ultimate facts alleged, as well as the rules and statutes which entitle the petitioner to relief; and
- (f) A statement of the specific rules or statutes the petitioner contends require reversal or modification of the agency's proposed action; and
- (g) A statement of the relief sought by the petitioner, stating precisely the action the petitioner wishes the agency to take with respect to the agency's proposed action.

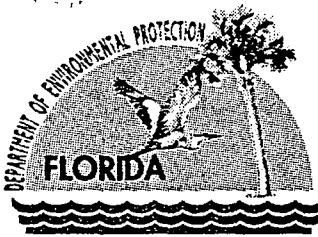
A petition that does not dispute the material facts upon which the Department's action is based shall state that no such facts are in dispute and otherwise shall contain the same information as set forth above, as required by Rule 28-106.301 F.A.C.

Because the administrative hearing process is designed to formulate final agency action, the filing of a petition means that the Department's final action may be different from the position taken by it in this notice. Persons whose substantial interests will be affected by any such final decision of the Department on the application have the right to petition to become a party to the proceeding, in accordance with the requirements set forth above.

Mediation under Section 120.573 of the Florida Statutes is not available in this proceeding.

A complete project file is available for public inspection during normal business hours, 8:00 a.m. to 5:00 p.m., Monday through Friday, except legal holidays, at: the Department of Environmental Protection, 3319 Maguire Boulevard, Suite 232, Orlando, Florida.





# Department of Environmental Protection

Jeb Bush  
Governor

Central District  
3319 Maguire Boulevard, Suite 232  
Orlando, Florida 32803-3767

**DRAFT** David B. Struhs  
Secretary

Permittee:

Merillat Corporation  
5353 West U.S. No. 223  
Adrian, MI 49221

Permit No.: 0830137-001-AC  
Facility ID No.: 0830137  
Expiration Date: July 31, 2004  
County: Marion  
Latitude/Longitude: 29°10'30"N/81°11'15"W  
UTM: 17-385.67 KmE; 3227.77 KmN  
Project: Ocala Wood Furniture  
Manufacturing Facility

Attention: John D. Thurman,  
Vice President - Finance  
& Treasurer

This permit is issued under the provisions of Chapter(s) 403, Florida Statutes, and Florida Administrative Code Rule(s) 62-210. The above named permittee is hereby authorized to perform the work or operate the facility shown on the application and approved drawing(s), plans, and other documents attached hereto or on file with the department and made a part hereof and specifically described as follows:

The permittee may construct a wood furniture manufacturing facility that will include woodworking and finishing operations for the manufacturing of kitchen and bath cabinets.

Woodworking operations shall include wood machining, gluing, and sanding. Baghouse systems shall be used to control particulate emissions, provide at least 99% particulate removal efficiency, and exhausted to the atmosphere through a series of rooftop stacks.

Finishing operations shall consist of a series of application spray booths, flash areas, brush and wipe sanding stations, and curing ovens. Parts shall be transferred between process stations by an overhead conveyor system. Toners, stains, clear coat sealers, and clear topcoats may be applied to parts as necessary to produce the desired product; however, application shall be performed manually, by operators in spray booths, using high-volume, low-pressure (HVLP) spray guns.

Additionally, the permittee may construct off-line spray booths for part touch-up or repair, special parts or products, or special colors. Also, a "top shop" side operation may be constructed to produce laminated cabinet tops. This operation shall include machining operations, glue application, and a final edge trim step. Particulate emissions from the "top shop" operations shall be controlled by a dust collection system.

This facility is classified as Title V, a major source of hazardous air pollutants (HAPS), and is subject to the applicable requirements of Title 40, Code of Federal Regulations (CFR), Part 63, Subpart A - General Provisions, and Subpart JJ - National Emission Standards for Wood Furniture Manufacturing Operations.

These sources are located on SW 38<sup>th</sup> Street, between SR 40 and SW 20<sup>th</sup> Street in Ocala, Marion County, Florida.

General Conditions, which are pages 2 and 3, are mailed only to the permittee.

*"Protect, Conserve and Manage Florida's Environment and Natural Resources"*

DRAFT

**GENERAL CONDITIONS:**

1. The terms, conditions, requirements, limitations and restrictions set forth in this permit, are "permit conditions" and are binding and enforceable pursuant to Sections 403.141, 403.727, or 403.859 through 403.861, Florida Statutes (F.S.) The permittee is placed on notice that the Department will review this permit periodically and may initiate enforcement action for any violation of these conditions.
2. This permit is valid only for the specific processes and operations applied for and indicated in the approved drawings or exhibits. Any unauthorized deviation from the approved drawings, exhibits, specifications, or conditions of this permit may constitute grounds for revocation and enforcement action by the Department.
3. As provided in subsections 403.087(6) and 403.722(5), F.S., the issuance of this permit does not convey any vested rights or any exclusive privileges. Neither does it authorize any injury to public or private property or any invasion of personal rights, nor any infringement of federal, state, or local laws or regulations. This permit is not a waiver of or approval of any other Department permit that may be required for other aspects of the total project which are not addressed in this permit.
4. This permit conveys no title to land or water, does not constitute State recognition or acknowledgment of title, and does not constitute authority for the use of submerged lands unless herein provided and the necessary title or leasehold interests have been obtained from the State. Only the Trustees of the Internal Improvement Trust Fund may express State opinion as to title.
5. This permit does not relieve the permittee from liability for harm or injury to human health or welfare, animal, or plant life, or property caused by the construction or operation of this permitted source, or from penalties therefore; nor does it allow the permittee to cause pollution in contravention of Florida Statutes and Department rules, unless specifically authorized by an order from the Department.
6. The permittee shall properly operate and maintain the facility and systems of treatment and control (and related appurtenances) that are installed and used by the permittee to achieve compliance with the conditions of this permit, as required by Department rules. This provision includes the operation of backup and auxiliary facilities or similar systems when necessary to achieve compliance with the conditions of the permit and when required by Department rules.
7. The permittee, by accepting this permit, specifically agrees to allow authorized Department personnel, upon presentation of credentials or other documents as may be required by law and at reasonable times, access to the premises where the permitted activity is located or conducted to:
  - (a) Have access to and copy any records that must be kept under conditions of this permit;
  - (b) Inspect the facility, equipment, practices, or operations regulated or required under this permit; and
  - (c) Sample or monitor any substances or parameters at any location reasonably necessary to assure compliance with this permit or Department rules.

Reasonable time may depend on the nature of the concern being investigated.

8. If, for any reason, the permittee does not comply with or will be unable to comply with any condition or limitation specified in this permit, the permittee shall immediately provide the Department with the following information:
  - (a) A description of and cause of noncompliance; and
  - (b) The period of noncompliance, including dates and times; or, if not corrected, the anticipated time the noncompliance is expected to continue, and steps being taken to reduce, eliminate, and prevent recurrence of the noncompliance.

The permittee shall be responsible for any and all damages which may result and may be subject to enforcement action by the Department for penalties or for revocation of this permit.

DRAFT

**GENERAL CONDITIONS:**

9. In accepting this permit, the permittee understands and agrees that all records, notes, monitoring data and other information relating to the construction or operation of this permitted source which are submitted to the Department may be used by the Department as evidence in any enforcement case involving the permitted source arising under the Florida Statutes or Department rules, except where such use is prescribed by Section 403.111 and 403.73, F.S. Such evidence shall only be used to the extent it is consistent with the Florida Rules of Civil Procedure and appropriate evidentiary rules.
10. The permittee agrees to comply with changes in Department rules and Florida Statutes after a reasonable time for compliance; provided, however, the permittee does not waive any other rights granted by Florida Statutes or Department rules.
11. This permit is transferable only upon Department approval in accordance with Rule 62-4.120 and 62-30.300, Florida Administrative Code (F.A.C.), as applicable. The permittee shall be liable for any non-compliance of the permitted activity until the transfer is approved by the Department.
12. This permit or a copy thereof shall be kept at the work site of the permitted activity.
13. This permit also constitutes:
  - ( ) Determination of Best Available Control Technology (BACT)
  - ( ) Determination of Prevention of Significant Deterioration (PSD)
  - ( ) Certification of compliance with State Water Quality Standards (Section 401, PL 92-500)
  - ( ) Compliance with New Source Performance Standards
14. The permittee shall comply with the following:
  - (a) Upon request, the permittee shall furnish all records and plans required under Department rules. During enforcement actions, the retention period for all records will be extended automatically unless otherwise stipulated by the Department.
  - (b) The permittee shall hold at the facility or other location designated by this permit records of all monitoring information (including all calibration and maintenance records and all original strip chart recordings for continuous monitoring information) required by the permit, copies of all reports required by this permit, and records of all data used to complete the application for this permit. These materials shall be retained at least three years from the date of the sample, measurement, report, or application unless otherwise specified by Department rule.
  - (c) Records of monitoring information shall include:
    1. the date, exact place, and time of sampling or measurements;
    2. the person responsible for performing the sampling or measurements;
    3. the dates analyses were performed;
    4. the person responsible for performing the analyses;
    5. the analytical techniques or methods used;
    6. the results of such analyses.
15. When requested by the Department, the permittee shall within a reasonable time furnish any information required by law which is needed to determine compliance with the permit. If the permittee becomes aware the relevant facts were not submitted or were incorrect in the permit application or in any report to the Department, such facts or information shall be corrected promptly.

Permittee:  
Merillat Corporation  
Attn: John D. Thurman  
SPECIFIC CONDITIONS:

Facility ID Numl  
Permit Number:  
Expiration Date:  
County:

0830137  
0830137-001-AC  
July 31, 2004  
Marion

TITLE 40 - CODE OF FEDERAL REGULATIONS - PART 63 - SUBPART JJ  
NATIONAL EMISSION STANDARDS FOR WOOD FURNITURE MANUFACTURING OPERATIONS

DRAFT

63.800 Applicability

1. The permittee shall comply with the requirements of 40 CFR Part 63 Subpart A (General Provisions), according to the applicability of subpart A to such sources, as identified in Table 1 40 CFR Part 63 Subpart JJ. However, the provisions that apply only to sources using a control device do not apply to this facility.

[Rule 62-204.800(10)(b)20., F.A.C., 40 CFR 63.800(d) and permit application]

63.802 Emission limits

1. The permittee shall:

[Rule 62-204.800(10)(b)20., F.A.C., 40 CFR 63.802(b) and permit application]

- (a) Limit VHAP emissions from finishing operations by meeting the emission limitations for new sources presented in Table 3 of 40 CFR Part 63 Subpart JJ using the compliance method in Sec. 63.804(d)(1). To determine VHAP emissions from a finishing material containing formaldehyde or styrene, the owner or operator of the affected source shall use the methods presented in Sec. 63.803(1)(2) for determining styrene and formaldehyde usage.

- (b) Limit VHAP emissions from contact adhesives by achieving a VHAP limit for contact adhesives, excluding aerosol adhesives and excluding contact adhesives applied to nonporous substrates, of no greater than 0.2 kg VHAP/kg solids (0.2 lb VHAP/lb solids), as applied, using either of the compliance methods in Sec. 63.804(e).

- (c) Limit HAP emissions from strippable spray booth coatings by using coatings that contain no more than 0.8 kg VOC/kg solids (0.8 lb VOC/lb solids), as applied.

63.803 Work practice standards

1. **Work practice implementation plan.** The permittee shall prepare and maintain a written work practice implementation plan that defines environmentally desirable work practices for each wood furniture manufacturing operation and addresses each of the work practice standards presented in paragraphs 2 through 12 of this section. The plan shall be developed no more than 60 days after operations begin at the facility. The written work practice implementation plan shall be available for inspection by the Department upon request. If the Department determines that the work practice implementation plan does not adequately address each of the topics specified in paragraphs 2 through 12 of this section or that the plan does not include sufficient mechanisms for ensuring that the work practice standards are being implemented, the Department may require the affected source to modify the plan.

[Rule 62-204.800(10)(b)20., F.A.C. and 40 CFR 63.803(a)]

Permittee:  
Merillat Corporation  
Attn: John D. Thurman  
SPECIFIC CONDITIONS:

DRAFT

Facility ID Numk  
Permit Number:  
Expiration Date:  
County:

0830137  
0830137-001-AC  
July 31, 2004  
Marion

2. **Operator training course.** The permittee shall train all new and existing personnel, including contract personnel, who are involved in finishing, gluing, cleaning, and washoff operations, use of manufacturing equipment, or implementation of the requirements of 40 CFR Part 63 Subpart JJ. All new personnel, those hired after the compliance date of the standard, shall be trained upon hiring. All existing personnel, those hired before the compliance date of the standard, shall be trained within six months of the compliance date of the standard. All personnel shall be given refresher training annually. The affected source shall maintain a copy of the training program with the work practice implementation plan. The training program shall include, at a minimum, the following:

[Rule 62-204.800(10)(b)20., F.A.C. and 40 CFR 63.803(b)]

- (a) A list of all current personnel by name and job description that are required to be trained;
- (b) An outline of the subjects to be covered in the initial and refresher training for each position or group of personnel;
- (c) Lesson plans for courses to be given at the initial and the annual refresher training that include, at a minimum, appropriate application techniques, appropriate cleaning and washoff procedures, appropriate equipment setup and adjustment to minimize finishing material usage and overspray, and appropriate management of cleanup wastes; and
- (d) A description of the methods to be used at the completion of initial or refresher training to demonstrate and document successful completion.

3. **Inspection and maintenance plan.** The permittee shall prepare and maintain with the work practice implementation plan a written leak inspection and maintenance plan that specifies:

[Rule 62-204.800(10)(b)20., F.A.C. and 40 CFR 63.803(c)]

- (a) A minimum visual inspection frequency of once per month for all equipment used to transfer or apply coatings, adhesives, or organic HAP solvents;
- (b) An inspection schedule;
- (c) Methods for documenting the date and results of each inspection and any repairs that were made;
- (d) The timeframe between identifying the leak and making the repair, which adheres, at a minimum, to the following schedule:
  - (i) A first attempt at repair (e.g., tightening of packing glands) shall be made no later than five calendar days after the leak is detected; and
  - (ii) Final repairs shall be made within 15 calendar days after the leak is detected, unless the leaking equipment is to be replaced by a new purchase, in which case repairs shall be completed within three months.

Permittee:  
Merillat Corporation  
Attn: John D. Thurman  
SPECIFIC CONDITIONS:

Facility ID Numl  
Permit Number:  
Expiration Date:  
County:

0830137  
0830137-001-AC  
July 31, 2004  
Marion

4. **Cleaning and washoff solvent accounting system.** The permittee shall develop an organic HAP solvent accounting form to record:  
[Rule 62-204.800(10)(b)20., F.A.C. and 40 CFR 63.803(d)]

DRAFT

- (a) The quantity and type of organic HAP solvent used each month for washoff and cleaning, as defined in 40 CFR 63.801;
- (b) The number of pieces washed off, and the reason for the washoff; and
- (c) The quantity of spent organic HAP solvent generated from each washoff and cleaning operation each month, and whether it is recycled onsite or disposed offsite.

5. **Chemical composition of cleaning and washoff solvents.** The permittee shall not use cleaning or washoff solvents that contain any of the pollutants listed in Table 4 of 40 CFR Part 63 Subpart JJ, in concentrations subject to MSDS reporting as required by OSHA.  
[Rule 62-204.800(10)(b)20., F.A.C. and 40 CFR 63.803(e)]

6. **Spray booth cleaning.** The permittee shall not use compounds containing more than 8.0 percent by weight of VOC for cleaning spray booth components other than conveyors or metal filters, or plastic filters unless the spray booth is being refurbished. If the spray booth is being refurbished, that is the spray booth coating or other protective material used to cover the booth is being replaced, the affected source shall use no more than 1.0 gallon of organic HAP solvent per booth to prepare the surface of the booth prior to applying the booth coating.  
[Rule 62-204.800(10)(b)20., F.A.C. and 40 CFR 63.803(f)]

7. **Storage requirements.** The permittee shall use normally closed containers for storing finishing, gluing, cleaning, and washoff materials.  
[Rule 62-204.800(10)(b)20., F.A.C. and 40 CFR 63.803(g)]

8. **Application equipment requirements.** The permittee shall use conventional air spray guns to apply finishing materials only under any of the following circumstances: [Rule 62-204.800(10)(b)20., F.A.C. and 40 CFR 63.803(h)]

- (a) To apply finishing materials that have a VOC content no greater than 1.0 lb VOC/lb solids, as applied;
- (b) For touchup and repair under the following conditions:
  - (i) The touchup and repair occurs after completion of the finishing operation; or
  - (ii) The touchup and repair occurs after the application of stain and before the application of any other type of finishing material, and the materials used for touchup and repair are applied from a container that has a volume of no more than 2.0 gallons.
- (c) When spray is automated, that is, the spray gun is aimed and triggered automatically, not manually;

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- (d) When emissions from the finishing application station are directed to a control device;
- (e) The conventional air gun is used to apply finishing materials and the cumulative total usage of that finishing material is no more than 5.0 percent of the total gallons of finishing material used during that semiannual period; or
- (f) The conventional air gun is used to apply stain on a part for which it is technically or economically infeasible to use any other spray application technology. The affected source shall demonstrate technical or economic infeasibility by submitting to the Administrator a videotape, a technical report, or other documentation that supports the affected source's claim of technical or economic infeasibility. The following criteria shall be used, either independently or in combination, to support the affected source's claim of technical or economic infeasibility:
- (i) The production speed is too high or the part shape is too complex for one operator to coat the part and the application station is not large enough to accommodate an additional operator; or
  - (ii) The excessively large vertical spray area of the part makes it difficult to avoid sagging or runs in the stain.
9. **Line cleaning.** The permittee shall pump or drain all organic HAP solvent used for line cleaning into a normally closed container.  
[Rule 62-204.800(10)(b)20., F.A.C. and 40 CFR 63.803(i)]
10. **Gun cleaning.** The permittee shall collect all organic HAP solvent used to clean spray guns into a normally closed container.  
[Rule 62-204.800(10)(b)20., F.A.C. and 40 CFR 63.803(j)]
11. **Washoff operations.** The permittee shall control emissions from washoff operations by: [Rule 62-204.800(10)(b)20., F.A.C. and 40 CFR 63.803(k)]
- (a) Using normally closed tanks for washoff; and
  - (b) Minimizing dripping by tilting or rotating the part to drain as much solvent as possible.
12. **Formulation assessment plan for finishing operations.** The permittee shall prepare and maintain with the work practice implementation plan a formulation assessment plan that:  
[Rule 62-204.800(10)(b)20., F.A.C. and 40 CFR 63.803(l)]
- (a) Identifies VHAPs from the list presented in Table 5 of 40 CFR Part 63 Subpart JJ that are being used in finishing operations at the facility;
  - (b) Establishes a baseline level of usage for each VHAP identified in paragraph 12(a). The baseline usage level shall be the de minimis quantity listed in Table 5 of 40 CFR Part 63 Subpart JJ.

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- (c) Tracks the annual usage of each VHAP identified in paragraph 12(a) by the facility that is present in amounts subject to MSDS reporting as required by OSHA.
- (d) If the annual usage of the VHAP identified in paragraph 12(a) exceeds its baseline level, then the permittee shall provide a written notification to the air compliance section of the FDEP Central District Office that quantifies and describes the reasons for the exceedance(s). The following explanations would relieve the permittee from further action, unless the affected source is not in compliance with any State regulations or requirements for that VHAP:
  - (i) The exceedance is no more than 15.0 percent above the baseline level; or
  - (ii) The source of the pollutant is a finishing material with a VOC content of no more than 1.0 kg VOC/kg solids (1.0 lb VOC/lb solids), as applied.
- (e) If neither of the above explanations is the reason for the exceedance, the permittee shall confer with the permitting authority to discuss the reason for the exceedance and whether there are practical and reasonable technology-based solutions for reducing the usage. The evaluation of whether a technology is reasonable and practical shall be based on cost, quality, and marketability of the product, whether the technology is being used successfully by other wood furniture manufacturing operations, or other criteria mutually agreed upon by the permitting authority and permittee. If there are no practical and reasonable solutions, the facility need take no further action. If there are solutions, the owner or operator shall develop a plan to reduce usage of the pollutant to the extent feasible. The plan shall address the approach to be used to reduce emissions, a timetable for implementing the plan, and a schedule for submitting notification of progress.
- (f) If the permittee uses a VHAP of potential concern listed in Table 6 of 40 CFR Part 63 Subpart JJ, then the baseline level shall be established as the de minimis level provided in that same table for that chemical. The permittee shall track the annual usage of each VHAP of potential concern identified in this paragraph that is present in amounts subject to MSDS reporting as required by OSHA. If usage of the VHAP of potential concern exceeds the de minimis level listed in Table 6 of 40 CFR Part 63 Subpart JJ for that chemical, then the affected source shall provide an explanation to the air compliance section of the FDEP Central District Office that documents the reason for exceedance of the de minimis level. If the explanation is not one of those listed in paragraph 12(d), the permittee shall follow the procedures established in 12(e).



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**63.804 Compliance procedures and monitoring requirements**

1. The permittee shall comply with 40 CFR 63.802(b)(1) by calculating the average VHAP content across all finishing materials used at the facility using Equation 1, and maintain a value of E no greater than 0.8;  
[Rule 62-204.800(10)(b)20., F.A.C., 40 CFR 63.804(d)(1) and permit application]

EQUATION 1

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$$E = \frac{(M_{c1}C_{c1} + M_{c2}C_{c2} + \dots + M_{cn}C_{cn} + S_1W_1 + S_2W_2 + \dots + S_nW_n)}{(M_{c1} + M_{c2} + \dots + M_{cn})}$$

where:

$C_c$  = the VHAP concentration of a finishing material (c), in kilograms of volatile hazardous air pollutants per kilogram of coating solids (kg VHAP / kg solids), as applied. Also given in pounds of volatile hazardous air pollutants per pound of coating solids (lb VHAP / lb solids);

E = the emission limit achieved by an emission point or a set of emission points, in kg VHAP / kg solids (lb VHAP / lb solids);

M = the mass of solids in finishing material used monthly, kg solids / month (lb solids / month);

S = the VHAP content of a solvent, expressed as a weight fraction, added to finishing materials; and

W = the amount of solvent, in kilograms (pounds), added to finishing materials during the monthly averaging period.

2. The permittee shall comply with 40 CFR 63.802(b)(2) by using compliant contact adhesives with a VHAP content no greater than 0.2 kg VHAP/kg solids (0.2 lb VHAP/lb solids), as applied.  
[Rule 62-204.800(10)(b)20., F.A.C., 40 CFR 63.804(e)(1) and permit application]
3. *Initial Compliance.* [Rule 62-204.800(10)(b)20., F.A.C.; 40 CFR 63.804(f)]
  - (a) Owners or operators shall submit the results of the averaging calculation (Equation 1) for the first month with the initial compliance status report required by Sec. 63.807(b). The first month's calculation shall include data for the entire month in which the compliance date falls. For example, if the source's compliance date is November 21, 1997, the averaging calculation shall include data from November 1, 1997 to November 30, 1997.
  - (b) Owners or operators shall submit an initial compliance status report, as required by Sec. 63.807(b), stating that compliant contact adhesives are being used by the affected source.
  - (c) Owners or operators shall submit an initial compliance status report, as required by Sec. 63.807(b), stating that compliant strippable spray booth coatings are being used by the affected source.

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- (d) Owners or operators shall submit an initial compliance status report, as required by Sec. 63.807(b), stating that the work practice implementation plan has been developed and procedures have been established for implementing the provisions of the plan.

4. *Continuous compliance demonstrations.*  
[Rule 62-204.800(10)(b)20., F.A.C.; 40 CFR 63.804(g)]

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- (a) The permittee shall demonstrate continuous compliance by submitting the results of the averaging calculation (Equation 1) for each month within that semiannual period and submitting a compliance certification with the semiannual report required by Sec. 63.807(c).
- (i) The compliance certification shall state that the value of (E), as calculated by Equation 1, is no greater than 0.8. An affected source is in violation of the standard if E is greater than 0.8 for any month. A violation of the monthly average is a separate violation of the standard for each day of operation during the month, unless the affected source can demonstrate through records that the violation of the monthly average can be attributed to a particular day or days during the period.
- (ii) The compliance certification shall be signed by a responsible official of the company that owns or operates the affected source.
- (b) The permittee shall submit a compliance certification with the semiannual report required by Sec. 63.807(c).
- (i) The compliance certification shall state that compliant contact and/or foam adhesives have been used each day in the semiannual reporting period, or should otherwise identify each day noncompliant contact and/or foam adhesives were used. Each day a noncompliant contact or foam adhesive is used is a single violation of the standard.
- (ii) The compliance certification shall be signed by a responsible official of the company that owns or operates the affected source.
- (c) The permittee shall submit a compliance certification with the semiannual report required by Sec. 63.807(c).
- (i) The compliance certification shall state that compliant strippable spray booth coatings have been used each day in the semiannual reporting period, or should otherwise identify each day noncompliant materials were used. Each day a noncompliant strippable booth coating is used is a single violation of the standard.
- (ii) The compliance certification shall be signed by a responsible official of the company that owns or operates the affected source.
- (d) The permittee shall submit a compliance certification with the semiannual report required by Sec. 63.807(c).
- (i) The compliance certification shall state that the work practice implementation plan is being followed, or should otherwise identify the provisions of the plan that have not been implemented and each day the provisions were not implemented. During any

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period of time that an owner or operator is required to implement the provisions of the plan, each failure to implement an obligation under the plan during any particular day is a violation.

- (ii) The compliance certification shall be signed by a responsible official of the company that owns or operates the affected source.

#### 63.805 Performance test methods

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1. The EPA Method 311 of appendix A of part 63 shall be used in conjunction with formulation data to determine the VHAP content of the liquid coating. Formulation data shall be used to identify VHAP present in the coating. The EPA Method 311 shall then be used to quantify those VHAP identified through formulation data. The EPA Method 311 shall not be used to quantify HAP such as styrene and formaldehyde that are emitted during the cure. The EPA Method 24 (40 CFR part 60, appendix A) shall be used to determine the solids content by weight and the density of coatings. If it is demonstrated to the satisfaction of the Department that a coating does not release VOC or HAP byproducts during the cure, for example, all VOC and HAP present in the coating is solvent, then batch formulation information shall be accepted. The owner or operator of an affected source may request approval from the Department to use an alternative method for determining the VHAP content of the coating. In the event of any inconsistency between the EPA Method 24 or Method 311 test data and a facility's formulation data, that is, if the EPA Method 24/311 value is higher, the EPA Method 24/311 test shall govern unless after consultation, a regulated source could demonstrate to the satisfaction of the enforcement agency that the formulation data were correct. Sampling procedures shall follow the guidelines presented in "Standard Procedures for Collection of Coating and Ink Samples for VOC Content Analysis by Reference Method 24 and Reference Method 24A," EPA-340/1-91-010. (Docket No. A-93-10, Item No. IV-A-1). [Rule 62-204.800(10)(b)20., F.A.C.; 40 CFR 63.805(a)]

#### 63.806 Recordkeeping requirements.

1. The permittee shall fulfill all recordkeeping requirements of 40 CFR 63.10, according to the applicability criteria in 40 CFR 63.800(d).  
[Rule 62-204.800(10)(b)20., F.A.C.; 40 CFR 63.806(a)]
2. The permittee shall maintain records of the following:  
[Rule 62-204.800(10)(b)20., F.A.C.; 40 CFR 63.806(b)]
- (a) A certified product data sheet for each finishing material, thinner, contact adhesive, and strippable spray booth coating subject to the emission limits in 40 CFR 63.802; and
- (b) The VHAP content, in kg VHAP/kg solids (lb VHAP/lb solids), as applied, of each finishing material and contact adhesive subject to the emission limits in 40 CFR 63.802; and
- (c) The VOC content, in kg VOC/kg solids (lb VOC/lb solids), as applied, of each strippable booth coating subject to the emission limits in 40 CFR 63.802(b)(3).

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3. The permittee shall maintain copies of the averaging calculation for each month following the compliance date, as well as the data on the quantity of coatings and thinners used that is necessary to support the calculation of E in Equation 1. [Rule 62-204.800(10)(b)20., F.A.C.; 40 CFR 63.806(c)]
4. The permittee shall maintain onsite the work practice implementation plan and all records associated with fulfilling the requirements of that plan, including, but not limited to:  
[Rule 62-204.800(10)(b)20., F.A.C.; 40 CFR 63.806(e)]  

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  - (a) Records demonstrating that the operator training program required by 40 CFR 63.803(b) is in place;
  - (b) Records collected in accordance with the inspection and maintenance plan required by 40 CFR 63.803(c);
  - (c) Records associated with the cleaning solvent accounting system required by 40 CFR 63.803(d);
  - (d) Records associated with the limitation on the use of conventional air spray guns showing total finishing material usage and the percentage of finishing materials applied with conventional air spray guns for each semiannual period as required by 40 CFR 63.803(h)(5).
  - (e) Records associated with the formulation assessment plan required by 40 CFR 63.803(l); and
  - (f) Copies of documentation such as logs developed to demonstrate that the other provisions of the work practice implementation plan are followed.
5. The permittee shall maintain records of the compliance certifications submitted in accordance with 40 CFR 63.807(c) for each semiannual period following the compliance date.  
[Rule 62-204.800(10)(b)20., F.A.C.; 40 CFR 63.806(h)]
6. The permittee shall maintain records of all other information submitted with the compliance status report required by 40 CFR 63.9(h) and 63.807(b) and the semiannual reports required by 40 CFR 63.807(c).  
[Rule 62-204.800(10)(b)20., F.A.C.; 40 CFR 63.806(i)]
7. The permittee shall maintain all records in accordance with the requirements of 40 CFR 63.10(b)(1).  
[Rule 62-204.800(10)(b)20., F.A.C.; 40 CFR 63.806(j)]

#### 63.807 Reporting requirements

1. The permittee shall fulfill all reporting requirements of 40 CFR 63.7 through 63.10 according to the applicability criteria in 40 CFR 63.800(d).  
[Rule 62-204.800(10)(b)20., F.A.C.; 40 CFR 63.807(a)]

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2. The permittee shall submit the compliance status report required by 40 CFR 63.9(h) no later than 60 days after the compliance date. The report shall include the information required by 40 CFR 63.804(f) (1), (5), (7), and (8).  
[Rule 62-204.800(10)(b)20., F.A.C.; 40 CFR 63.807(b)]
3. The permittee shall submit a report covering the previous 6 months of wood furniture manufacturing operations:  
[Rule 62-204.800(10)(b)20., F.A.C.; 40 CFR 63.807(c)]
- (a) The first report shall be submitted 30 calendar days after the end of the first 6-month period following the compliance date.
- (b) Subsequent reports shall be submitted 30 calendar days after the end of each 6-month period following the first report.
- (c) The semiannual reports shall include the information required by 40 CFR 63.804(g) (1), (5), (7), and (8), a statement of whether the affected source was in compliance or noncompliance, and, if the affected source was in noncompliance, the measures taken to bring the affected source into compliance.
- (d) The frequency of the reports required by paragraph 3 of this section shall not be reduced from semiannually regardless of the history of the owner's or operator's compliance status.
4. If required to provide a written notification under 40 CFR 63.803(1)(4), the permittee shall include in the notification one or more statements that explains the reasons for the usage increase. The notification shall be submitted no later than 30 calendar days after the end of the annual period in which the usage increase occurred.  
[Rule 62-204.800(10)(b)20., F.A.C.; 40 CFR 63.807(e)]

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(Note: 40 CFR Part 63 Subpart JJ was amended by EPA in the Federal Register, December 28, 1998, Vol. 63, No. 248, pp. 71376-71385.)

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OPERATING CONDITIONS

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1. The curing ovens may burn natural gas or propane only.  
[Rule 62-210.200, (PTE), F.A.C.]
2. Volatile organic compound (VOC) usage at the facility shall not exceed 249 tons per consecutive 12 months. Also, combined hazardous air pollutant (HAP) usage, or any single HAP usage at the facility shall not exceed 249 tons per consecutive 12 months.  
[Rule 62-210.200, (PTE), F.A.C.]
3. No person shall circumvent any pollution control device or allow the emissions of air pollutants without the applicable air pollution control device operating properly [Rule 62-210.650, F.A.C.]
4. No person shall store, pump, handle, process, load, unload or use in any process or installation, volatile organic compounds or organic solvents without applying known and existing vapor emission control devices or systems deemed necessary and ordered by the Department [Rule 62-296.320(1)(a), F.A.C.]. To comply, procedures to minimize pollutant emissions should include but not be limited to the following:
  - a) tightly cover or close all VOC containers when they are not in use,
  - b) tightly cover, where possible, all open troughs, basins, baths, tanks, etc. when they are not in use,
  - c) maintain all piping, valves, fittings, etc. in good operating condition,
  - d) prevent excessive air turbulence across exposed VOC's,
  - e) immediately confine and clean up VOC spills and make sure certain wastes are placed in closed containers for reuse, recycling or proper disposal,
  - f) maintain appropriate recordkeeping practices to demonstrate compliance with VOC usage limits.
5. The permittee shall not cause, suffer, allow or permit the discharge of air pollutants which cause or contribute to an objectionable odor.  
[Rule 62-296.320(2), F.A.C.]

EMISSION LIMITS

6. The total VOC emission limit for this facility is 249 tons per consecutive 12 months. The combined HAP emission limit and the single HAP emission limit for this facility is 249 tons per consecutive 12 months.  
[Rule 62-210.200, (PTE), F.A.C.]
7. Emissions from the baghouse systems are limited to less than 5% opacity. The Department shall waive the particulate matter (PM) test specified in rule 62-296.712, F.A.C. provided that the permittee uses the baghouses as described in the application received May 25, 1999. However, the Department may require PM

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testing if it has reason to believe that emissions exceed 0.03 grains per dry standard cubic foot. [Rule 62-297.620(4), F.A.C. and permit application]

COMPLIANCE TESTING

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8. Each particulate emission unit must be tested for visible emissions in accordance with DEP Method 9 for 30 minutes or the length of the batch/cycle within 30 days after being placed in operation. For any other approved method to be utilized, the Department must give prior written approval.  
[Rule 62-297.310(4)(a)2., F.A.C.]
9. Prior to compliance testing, the permittee shall submit detailed equipment information to the Department. At least 15 days prior to the date on which each formal compliance test is due to begin, the permittee shall provide written notification of the test to the Compliance Section in the Air Section of the Central District Office of the Department of Environmental Protection. The notification must include the following information: the date, time, and location of each test; the name and telephone number of the facility's contact person who will be responsible for coordinating the test; and the name, company, and telephone number of the person conducting the test.  
[Rule 62-297.310(7)(a)9., F.A.C.]
10. Testing of emissions shall be conducted with the emissions unit operation at permitted capacity. Permitted capacity is defined as 90 to 100 percent of the maximum operation rate allowed by the permit. If it is impractical to test at permitted capacity, an emissions unit may be tested at less than the minimum permitted capacity; in this case, subsequent emissions unit operation is limited to 110 percent of the test load until a new test is conducted. Once the unit is so limited, operation at higher capacities is allowed for no more than 15 consecutive days for the purpose of additional compliance testing to regain the authority to operate at the permitted capacity.  
[Rule 62-297.310(2), F.A.C.]
11. The owner or operator shall submit a copy of the compliance test results to the air compliance section of this office within 45 days after the last sampling run of each test is completed [Rule 62-297.310(8)(b), F.A.C.]
12. Pursuant to Rule 62-4.070(3), F.A.C., a monthly log shall be kept for this facility to document compliance with the limitations of Specific Conditions 2 and 6. The log shall be completed by the end of the following month and retained on file at the facility for at least three years. At a minimum, the monthly log shall:
  - a) Identify and quantify each material used at the facility that has an air pollution emission.
  - b) Quantify the consecutive 12 month period total of emissions from VOCs and HAPs.

Documentation of each chemical reclaimed will use a mass balance method to determine usage/emissions (amount used minus amount collected for disposal or recycle.) Supporting documentation (chemical usage tracking logs, MSDS sheets, purchase orders, EPA "As Supplied" data sheets, EPA Method 24, etc.) shall be kept for each chemical and associated products which includes sufficient

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information to determine usage rates and emissions. These records shall be made available to the Department upon request.

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13. The owner or operator shall complete DEP Form No. 62-210.900(5), "F.A.C. Annual Operating Report for Air Pollutant Emitting Facility", including the Emissions Report, for each calendar year and submit to the air compliance section of this office on or before March 1 of the following year.  
[Rule 62-210.370(3), F.A.C.]

PERMIT APPLICATION

14. The construction shall reasonably conform to the plans and schedule submitted in the application. If the permittee is unable to complete construction on schedule, he must notify the Department in writing at least 90 days prior to the expiration of the construction permit and submit an application for an extension of the construction permit.

An operating permit is required for operation of this source. To obtain an operating permit, the permittee must demonstrate compliance with the conditions of the construction permit and submit the application fee, along with compliance test results, detailed equipment information and Application for Air Permit to the Department's Central Florida District office [Rule 62-4.220, F.A.C.] The application shall be submitted no later than 180 days after the source has been placed in operation.

STATE OF FLORIDA DEPARTMENT  
OF ENVIRONMENTAL PROTECTION

\_\_\_\_\_  
L.T. Kozlov, P.E.  
Program Administrator  
Air Resources Management

Issued: \_\_\_\_\_





*Alan  
Adrian B. JE*

AMERICA'S CABINETMAKER®

08/02/99



L. T. Kozlov, P. E.  
Program Administrator  
Air Resources Management  
3319 Maguire Boulevard, Suite 232  
Orlando, FL 32803-3767

Re: Permit No.: 0830137-001-AC

Dear Mr. Kozlov,

Enclosed is the Proof of Publication of the Intent to Issue Construction Permit for the new Merillat Corporation facility in Ocala Florida.

Also, as we discussed, the following discrepancies were noted within the Draft Permit and the Intent to Issue. These should be revised as follows:

1. The latitude/longitude should read: 29° 10' 30" N / 82° 11' 15" W.
2. The UTM should read: 17-384.52 kmE; 3227.75 kmN.
3. On the first page of the Intent to Issue and on the first page of the Draft Permit the address should read **Avenue** rather than Street: "These sources are located on SW 38<sup>th</sup> Ave., between SR 40 and SW 20<sup>th</sup> Street in Ocala, Marion County, Florida. This was corrected before the Intent to Issue was published.

We are not aware of any other discrepancies in the Permit.

Again, I want to personally thank you and your staff for the expeditious handling of this application.

If there are any questions, please don't hesitate to contact me.

Sincerely,

James P Olszewski  
Corporate Manager,  
Facilities Engineering and Environmental Affairs

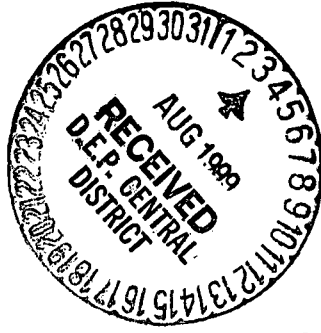
**PROOF OF PUBLICATION**

**STAR-BANNER**

**Published—Daily**

**OCALA, MARION COUNTY, FLORIDA**

STATE OF FLORIDA,  
COUNTY OF MARION



Before the undersigned authority personally appeared CRISSIE MOORE, who on oath says that she is an authorized employee of the Star-Banner, a daily newspaper published at Ocala, in Marion County, Florida; that the attached copy of advertisement, being a notice in the matter of \_\_\_\_\_

**#208999 INTENT TO ISSUE CONSTRUCTION PERMIT**

\_\_\_\_\_ in the \_\_\_\_\_ Court, was published in said newspaper in the issues of July 23, 1999

Affiant further says that the said STAR-BANNER is a daily newspaper published at Ocala, in said Marion County, Florida, and that the said newspaper has heretofore been continuously published in said Marion County, Florida, daily, and has been entered as second class mail matter at the post office in Ocala, in said Marion County, Florida, for a period of one year next preceding the first publication of the attached copy of advertisement; and affiant further says that he has neither paid nor promised any person, firm or corporation any discount, rebate, commission or refund for the purpose of securing this advertisement for publication in the said newspaper.

*Crissie Moore*

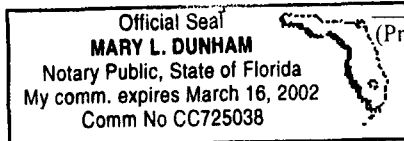
Sworn to and subscribed before me this 29th day

of JULY, A.D., 1999

*Mary L Dunham*  
Notary Public

**MARY L. DUNHAM**

(Seal)



(Print, Type or Stamp Name of Notary Public)

**STATE OF FLORIDA  
DEPARTMENT OF  
ENVIRONMENTAL  
PROTECTION PUBLIC NOTICE  
OF INTENT TO  
ISSUE CONSTRUCTION  
PERMIT**

The Department of Environmental Protection gives notice of its intent to issue a permit to Merilat Corporation, 5353 West U.S. No. 223, Adrian, MI, 49221, to construct operations of a wood furniture manufacturing facility, which is a source of air emissions and subject to National Emission Standards for Hazardous Air Pollutants (NESHAPS), Title 40, Code of Federal Regulations (CFR), Part 63 - Subpart JJ. These operations are part of a new facility which is located on SW 38th Ave. between SR 40 and SW 20th Street, Ocala, Marion County, Florida. The Department has assigned File Number 0830137-001-AC to the project. The Department will issue the permit with the attached conditions unless a response received in accordance with the following procedures results in a different decision or significant change of terms or conditions. The Department will accept written comments concerning the proposed permit issuance action for a period of 14 days from the date of publication of "PUBLIC NOTICE OF INTENT TO ISSUE CONSTRUCTION PERMIT." Written comments should be provided to the District office at 3319 Maguire Boulevard, Suite 232, Orlando, Florida 32803. Any written comments filed shall be made available for public inspection. If written comments received result in a significant change in the proposed agency action, the Department shall revise the proposed permit and require, if applicable, another Public Notice. The Department will issue the permit with the attached conditions unless a timely petition for an administrative hearing is filed pursuant to Sections 120.569 and 120.57 Florida Statutes (F.S.), before the deadline for filing a petition. The procedures for petitioning for a hearing are set forth below. A person whose substantial interests are affected by the proposed permitting decision may petition for an administrative proceeding (hearing) under Sections 120.569 and 120.57 of the Florida Statutes. The petition must contain the information set forth below and must be filed (received) in the Office of General Counsel of the Department at 3900 Commonwealth Boulevard, Mail Station 35, Tallahassee, Florida 32399-3000. Petitions

filed by the permit applicant or any of the parties listed below must be filed within 14 days of receipt of this notice of intent. Petitions filed by any persons other than those entitled to written notice under Section 120.60(3) of the Florida Statutes must be filed within 14 days of publication of the public notice or within 14 days of receipt of this notice of intent, whichever occurs first. Under Section 120.60(3), F.S., however, any person who asked the Department for notice of agency action may file a petition within 14 days of receipt of that notice, regardless of the date of publication. A petitioner shall mail a copy of the petition to the applicant at the address indicated above at the time of filing. The failure of any person to file a petition within the appropriate time period shall constitute a waiver of that person's right to request an administrative determination (hearing) under Sections 120.569 and 120.57 F.S., or to intervene in this proceeding and participate as a party to it. Any subsequent intervention will be only at the approval of the presiding officer upon the filing of a motion in compliance with Rule 28-106.205 of the Florida Administrative Code (F.A.C.). A petition that disputes the material facts on which the Department's action is based must contain the following information:

- (a) The name and address of each agency affected and each agency's file or identification number, if known;
- (b) The name, address, and telephone number of the petitioner, the name, address and telephone number of the petitioner's representative, if any, which shall be the address for service purposes during the course of the proceeding; and an explanation of how the petitioner's substantial interests will be affected by the agency determination;
- (c) A statement of how and when petitioner received notice of the agency action or proposed action;
- (d) A statement of all disputed issues of material fact. If there are none, the petition must so indicate;
- (e) A concise statement of the ultimate facts alleged, as well as the rules and statutes which entitle the petitioner to relief; and
- (f) A statement of the specific rules or statutes the petitioner contends require reversal or modification of the agency's proposed action; and
- (g) A statement of the relief sought by the petitioner, stating precisely the action the petitioner wishes the agency to take with respect to the agency's proposed action.

A petition that does not dispute the material facts upon which the Department's action is based shall state that no such facts are in dispute and otherwise shall contain the same information as set forth above, as required by Rule 29-106.301 F.A.C. Because the administrative hearing process is designed to formulate final agency action, the filing of a petition means that the Department's final action may be different from the position taken by it in this notice. Persons whose substantial interests will be affected by any such final decision of the Department on the application have the right to petition to become a party to the proceeding, in accordance with the requirements set forth above. Mediation under Section 120.573 of the Florida Statutes is not available in this proceeding. A complete project file is available for public inspection during normal business hours, 8:00 a.m. to 5:00 p.m., Monday through Friday, except legal holidays, at the Department of Environmental Protection, 3319 Maguire Boulevard, Suite 232, Orlando, Florida. No. 208999 -JULY 23, 1999

# INTEROFFICE MEMORANDUM

**Date:** 14-Jul-1999 11:46am  
**From:** John Glunn TAL 850/488-0144  
GLUNN\_J@a1.epic1.dep.state.fl.us  
**Dept:**  
**Tel No:**

**To:** Alvaro Linero TAL ( LINERO\_A@a1.epic1.dep.state.fl.us )  
**To:** Alan Zahm ORL ( ZAHM\_A@A1 )

**Subject:** Re: FWD: Subpart JJ, Table 5, for a New Facility

I had to call the EPA contact to figure out this issue, but believe it or not, I think I have a suitable answer.

New sources can't do a baseline of those years, so the procedure for developing a baseline and resulting de minimis levels were spelled out in 63.802(l)(6). However, EPA amended that section on 12/28/98, and directly calculated the de minimis levels for the VHAPS in Table 5 in that amended rule. The amended Table 5 (pg. 71382) lists the de minimis levels for those VHAPS. New sources are not supposed to exceed those de minimis values and if they do, they must follow the permitting authority notification procedures outlined in 63.802(l)(4) and (5). <sup>→ 63.803(l)(6)</sup>

Hope that helps, let me know if you need more info.

# INTEROFFICE MEMORANDUM

**Sensitivity:** COMPANY CONFIDENTIAL

**Date:** 13-Jul-1999 01:29pm  
**From:** Alan Zahm ORL  
ZAHM\_A  
**Dept:** Central District Office  
**Tel No:** 407/894-7555

**To:** Cindy Phillips TAL ( PHILLIPS\_C @ A1 @ DER )  
**CC:** William Edwards ORL ( EDWARDS\_W )

**Subject:** Subpart JJ, Table 5, for a New Facility

We have an application for a new facility that needs a permit in a hurry (that's news?). Except this one is for a Florida Enterprise project and we want to look good.

Anyway, Table 5 in subpart JJ discusses the baseline usage of VHAP during calendar years 1994, 1995, 1996. The facility is new and has no baseline year usage.

I guess this means that there is no allowed usage of these VHAPS since there were no usage during the baseline years. That sounds like an extreme interpretation, but our rules can always be reinterpreted. Do you have any comments which would change this interpretation and could you provide evidence to support your opinion. If you agree with me, there is no reason to respond. We would like to issue the intent by tomorrow. Any quick comments?

PS Meritec response was placed in interoffice yesterday.  
PS Anderson Columbia, the asphalt plant permit, was signed yesterday.

[Federal Register: December 28, 1998 (Volume 63, Number 248)]  
[Rules and **Regulations**]  
[Page 71376-71385]  
From the Federal Register Online via GPO Access [wais.access.gpo.gov]  
[DOCID:fr28de98-6]

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**ENVIRONMENTAL PROTECTION AGENCY**

**40 CFR Part 63**

[AD-FRL-6210-3]  
RIN 2060-AH66

**National Emission Standards for Hazardous Air Pollutants: Wood  
Furniture Manufacturing Operations**

AGENCY: Environmental Protection Agency (EPA).

**ACTION: Final rule; amendments.**

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SUMMARY: This action promulgates amendments to the ``National Emission Standards for Hazardous Air Pollutants; Final Standards for Hazardous Air Pollutant Emissions from Wood Furniture Manufacturing Operations,`` originally promulgated in the Federal Register on December 7, 1995. The amendments to the rule were proposed pursuant to three agreements reached in settlement of the following petitions for review: Chemical Manufacturers Association v. EPA, No. 96-1031 (D.C. Cir.); Halogenated Solvents Industry Alliance, Inc. v. EPA, No. 96-1036 (D.C. Cir.); and Society of the Plastics Industry, Inc. v. Browner, No. 96-1038 (D.C. Cir.). This action also finalizes clarifying amendments, as well as technical amendments to certain sections of the rule.

DATES: This rule is effective December 28, 1998.

ADDRESSES: Docket. Interested parties may review items used to support this notice at: Air and Radiation Docket and Information Center (6102), Attention, Docket No. A-93-10, U.S. Environmental Protection Agency, 401 M Street, SW., Washington, DC 20460.

FOR FURTHER INFORMATION CONTACT: For information concerning the standards and the changes, contact Mr. Paul Almodovar, Coatings and Consumer Products Group, Emission Standards Division (MD-13), U.S. Environmental Protection Agency, Research Triangle Park, NC 27711; telephone (919) 541-0283. For information regarding the applicability of this action to a particular entity, contact Mr. Robert Marshall, Manufacturing Branch, Office of Compliance (2223A), U.S. Environmental Protection Agency, 401 M Street, SW., Washington, DC 20460; telephone (202) 564-7021.

SUPPLEMENTARY INFORMATION:

Regulated Entities

Entities potentially regulated by this action are owners or operators of facilities that are engaged, either in part or in whole, in wood furniture manufacturing operations and that are major sources as defined in 40 CFR part 63, subpart A, section 63.2. Regulated categories include:

Category	Examples of regulated entities
Industry.....	Facilities which are major sources of hazardous air pollutants (HAP) and manufacture wood furniture or wood furniture components.

This table is not intended to be exhaustive, but rather provides a guide for readers regarding entities that the EPA is now aware potentially could be regulated by this action. Other types of entities not listed in the table also could be regulated. To determine whether your facility (company, business, organization, etc.) is regulated by this action, you should carefully examine the applicability criteria in section 63.800 of the national emission standards for hazardous air pollutants (NESHAP) for wood furniture manufacturing operations (Wood Furniture NESHAP) that was promulgated in the Federal Register on December 7, 1995 (60 FR 62930) and codified at 40 CFR 63 subpart JJ. If you have questions regarding the applicability of this action to a particular entity, consult Mr. Robert Marshall at the address listed in the preceding FOR FURTHER INFORMATION CONTACT section.

The information presented below is organized as follows:

- I. Background
- II. Comments Received on Proposed Changes and EPA Response to Comments
- III. Summary of Changes
- IV. Administrative Requirements
  - A. Docket
  - B. Paperwork Reduction Act
  - C. Executive Order 12866 Review
  - D. Regulatory Flexibility
  - E. Submission to Congress and the General Accounting Office
  - F. Unfunded Mandates Reform Act
  - G. National Technology Transfer and Advancement Act
  - H. Executive Order 12875: Enhancing Intergovernmental Partnership
    - I. Executive Order 13045: Protection of Children from Environmental Health Risks and Safety Risks
    - J. Executive Order 13084: Consultation and Coordination with Indian Tribal Governments

I. Background

On December 7, 1995 (60 FR 62930), the EPA promulgated the Wood Furniture NESHAP. These standards were codified as subpart JJ in 40 CFR part 63. These standards established emission limits for, among other things, coating and

gluing of wood furniture and wood furniture components. Three different parties, the Chemical Manufacturers Association (CMA), the Halogenated Solvents Industry Alliance, Inc. (HSIA), and the Society of the Plastics Industry, Inc. (SPI), petitioned for judicial review of the final rule under section 307(b) of the Clean Air Act (the Act). The EPA executed settlement agreements with each of these petitioners on December 18, 1997. In accordance with section 113(g) of the Act, the EPA published notice of the petitions in the Federal Register on December 24, 1997 (62 FR 67360). The notice provided a 30-day opportunity for public comment. One comment supporting the agreements was submitted. The settlement agreement between the EPA and the CMA requires the EPA to conduct notice and comment rulemaking proposing that certain glycol ethers be removed from the list of volatile hazardous air pollutants (VHAP) of potential concern in table 6 of the Wood Furniture NESHAP. The agreement also provides that the de minimis value in table 5 for 2-ethoxyethyl acetate be changed from 5.0 tons per year to 10.0 tons per year.

The settlement agreement between the EPA and the HSIA requires the EPA: (1) to conduct notice-and-comment rulemaking in accordance with section 307(d) of the Act proposing that perchloroethylene and trichloroethylene be deleted from the list of pollutants prohibited from use in cleaning and washoff solvents under section 63.803(e) of the **regulations** (table 4 of the Wood Furniture NESHAP); and (2) to give great weight to the recommendations of the Science Panel of the Joint Methylene Chloride Characterization Task Force regarding whether a reassessment of the cancer hazard for methylene chloride should be undertaken based on current scientific information. The settlement agreement also requires the EPA to conduct additional notice and comment rulemaking with respect to methylene chloride if methylene chloride is reassessed and certain findings are made as a result of that reassessment.

The settlement agreement between the EPA and the SPI requires the EPA to propose technical amendments to the Wood Furniture NESHAP that would remove the subheadings of "Nonthreshold Pollutants," "High-Concern Pollutants," and "Unrankable Pollutants" in table 6, and remove footnote "a" to table 6 which relates to these hazard ranking classifications.

This action promulgates changes to the Wood Furniture NESHAP proposed to address the settlement agreements discussed above. This action also finalizes clarifying changes and corrections which were identified as being necessary after promulgation of the original rule.

## II. Comments Received on Proposed Changes and EPA Response to Comments

Six comment letters were received on the proposed changes to the final wood furniture manufacturing operations. These comments have been included in the docket to the Wood Furniture NESHAP (Docket No. A-93-10) as items VI-D-01 through VI-D-04, and IV-G-01 through IV-G-03. This preamble serves as the only summary of the comments received on the proposed changes to the final rule.

Five of the commenters supported the EPA's proposed changes to the final rule based on the settlement agreements. One commenter suggested clarifying changes in addition to those that were proposed. This commenter suggested clarifying the requirements in the Formulation Assessment Plan for VHAP of potential concern, the applicability requirements of this rule, and the removal of the emission limit for thinners. The EPA will give further consideration to the suggested changes, but cannot finalize them at this time. The EPA believes that additional rulemaking would be necessary to provide the public with opportunity to comment on the suggested changes. The

settlement agreements with the CMA, the HSIA, and the SPI, and make minor technical corrections rather than completely reopen the original rule for comment.

One commenter expressed concern that the EPA was proposing to delete perchloroethylene from the list of pollutants prohibited from use in cleaning and washing solvents and was ``moving perc[hloroethylene] down a category in terms of risk classification.'' In particular, the commenter asserted that the EPA has identified perchloroethylene as posing potential health risks, and has long considered it a ``probable human carcinogen,'' citing a recent document from the EPA's Design for the Environment project on dry cleaning, an International Agency for Research on Cancer (IARC) monograph supporting a finding that perchloroethylene is a ``probable human carcinogen,'' and a May 1998 report of the Children's Health Protection Advisory Committee. Contrary to the commenter's concern, the EPA is not ``moving perc[hloroethylene] down a category in terms of risk classification.'' At present, this chemical is not classified as to its carcinogenicity in the EPA's Integrated Risk Information System. The EPA is currently reassessing the potential carcinogenicity of perchloroethylene. Since a definitive assessment of carcinogenicity of this chemical has not been finalized by the EPA and since only chemicals classified as Type A and B carcinogens are prohibited in cleaning and washoff solvents, the EPA is removing perchloroethylene from the list of prohibited chemicals in table 4. This change in table 4 does not imply that the EPA has changed its judgment or, indeed, reached any judgment in its current scientific evaluation of this chemical, nor does it carry any weight with respect to policies adopted toward this chemical in other regulatory contexts. The EPA is aware of the IARC monograph on perchloroethylene, as well as assessments conducted by other groups, and will consider this information in its scientific reassessment. After this reassessment, the EPA will revisit, as needed, its decision to delete perchloroethylene from the list of chemicals prohibited in cleaning and washoff solvents.

The EPA does not believe that perchloroethylene, as a washoff or cleaning solvent in wood furniture manufacturing, poses a sufficiently significant risk to warrant prohibition under this rule at this time. Wood furniture manufacturers do not commonly use perchloroethylene as a washoff or cleaning solvent. Wood furniture manufacturers using water-borne coatings would probably use a water-based solvent as a cleaning solvent. Wood furniture manufacturers using solvent-borne coatings would use the same solvents contained in the coatings, such as methanol and mineral spirits for their washoff and cleaning operations. Therefore, the risk of exposure to perchloroethylene in wood furniture manufacturing operations is currently very low, and should continue to be low.

### III. Summary of Changes

The EPA is finalizing the proposed changes to table 6 of the Wood Furniture NESHAP. Table 6 lists those VHAP that are thought to pose a high concern for chronic toxicity. The **regulations** require affected sources to track the usage levels of these chemicals as part of their formulation assessment plans. The EPA, as a result of the negotiated rulemaking process for the original rule, included in the table 6 list only those chemicals with a toxicity composite score of 20 or higher.

The original table 6 contained subheadings for ``nonthreshold'' pollutants, ``high-concern'' pollutants, and ``unrankable'' pollutants. These subheadings followed the hazard ranking classification scheme proposed in **regulations** to implement the offsetting provisions of section 112(g) of the Act. The EPA now believes, however, that these subheadings, and footnote



``a'' which relates to these subheadings, serve no substantive function in this rule and have been removed from table 6. The definition of ``VHAP of potential concern'' has also been revised to reflect this change in table 6.

Section 63.803(l)(6) is revised to eliminate the reference to the 112(g) **regulations**. This cross-reference is not necessary because table 6 has been revised to include the de minimis value for each chemical. The de minimis values provided in table 6 are not changed from the current values extrapolated from the proposed section 112(g) **regulations**.

The EPA is also finalizing the proposed changes to tables 4 and 5. The EPA is finalizing the proposed changes to table 5 to change the de minimis level for 2-ethoxyethyl acetate from 5.0 to 10.0 tons per year. The EPA is finalizing the proposed changes to table 4 of the Wood Furniture NESHAP by removing trichloroethylene and perchloroethylene from the list of prohibited cleaning and washoff solvents.

The EPA is taking this opportunity to make additional technical and clarifying corrections to the final rule. The EPA has removed caprolactam from the list of VHAP in table 2 of the rule because this chemical has been delisted from the HAP list in section 112(b)(1) of the Act (61 FR 30816).

The EPA has revised the definition of ``organic solvent'' to reflect the EPA's intent in the final rule to regulate only those organic solvents considered HAP. The definition in the final rule should be limited to those organic solvents which are HAP. Therefore, the EPA has added the term ``hazardous air pollutant'' to the definition of organic solvent (e.g., organic HAP solvent). Elsewhere in the text of the rule, the EPA has replaced the term ``organic solvent'' with the term ``organic HAP solvent.''

#### IV. Administrative Requirements

##### A. Docket

Docket A-93-10 is an organized and complete file of all of the information submitted to, or otherwise considered by, the EPA in the development of this rulemaking. The docket is a dynamic file, since material is added throughout the rulemaking development. The docketing system is intended to allow members of the public to readily identify and locate documents to enable them to participate effectively in the rulemaking process. The contents of the docket serve as the record for purposes of judicial review (except for interagency review materials) (section 307(d)(7)(A) of the Act, 42 U.S.C. 7607(d)(7)(A)).

##### B. Paperwork Reduction Act

There are no additional information collection requirements contained in this action. Therefore, approval under the provisions of the Paperwork Reduction Act, 44 U.S.C. 3501, et seq., is not required.

##### C. Executive Order 12866 Review

Under Executive Order 12866, the EPA must determine whether a regulatory action is ``significant'' and, therefore, subject to Office of Management and Budget (OMB) review and the requirements of the Executive Order. The Executive Order defines ``significant'' regulatory action as one that is likely to lead to a rule that may: (1) Have an annual effect on the economy of \$100 million or more or adversely affect in a material way the economy, a sector of the economy, productivity, competition, jobs, the environment, public health or safety in State, local, or tribal governments or communities; (2) create a serious inconsistency or otherwise interfere

PART 63--[AMENDED]

1. The authority citation for Part 63 continues to read as follows:

Authority: 42 U.S.C. 7401, et seq.

Subpart JJ--National Emissions Standards for Wood Furniture Manufacturing Operations

2. Section 63.801 is amended by revising the definitions for ``Cleaning operations,'' ``Disposed offsite,'' ``Equipment leak,'' ``Recycled onsite,'' ``Strippable spray booth material,'' ``VHAP of potential concern,'' and ``Washoff operations'' and by removing the definition of ``Organic solvent'' and adding a definition of ``Organic HAP solvent'' to read as follows:

Sec. 63.801 Definitions.

\* \* \* \* \*

Cleaning operations means operations in which organic HAP solvent is used to remove coating materials or adhesives from equipment used in wood furniture manufacturing operations.

\* \* \* \* \*

Disposed offsite means sending used organic HAP solvent or coatings outside of the facility boundaries for disposal.

\* \* \* \* \*

Equipment leak means emissions of VHAP from pumps, valves, flanges, or other equipment used to transfer or apply coatings, adhesives, or organic HAP solvents.

\* \* \* \* \*

Organic HAP solvent means a HAP that is a volatile organic liquid used for dissolving or dispersing constituents in a coating or contact adhesive, adjusting the viscosity of a coating or contact adhesive, or cleaning equipment. When used in a coating or contact adhesive, the organic HAP solvent evaporates during drying and does not become a part of the dried film.

\* \* \* \* \*

Recycled onsite means the reuse of an organic HAP solvent in a process other than cleaning or washoff.

\* \* \* \* \*

Strippable spray booth material means a coating that:

- (1) Is applied to a spray booth wall to provide a protective film to receive over spray during finishing operations;
- (2) That is subsequently peeled off and disposed; and
- (3) By achieving (1) and (2) of this definition reduces or eliminates the need to use organic HAP solvents to clean spray booth walls.

\* \* \* \* \*

VHAP of potential concern means any VHAP from the list in table 6 of this subpart.

\* \* \* \* \*

Washoff operations means those operations in which organic HAP solvent is used to remove coating from wood furniture or a wood furniture component.

\* \* \* \* \*

3. Section 63.803 is amended by revising paragraphs (c)(1), (d), (f), (i), (j), and (1)(6) to read as follows:

Sec. 63.803 Work practice standards

\* \* \* \* \*

(c) \* \* \*

(1) A minimum visual inspection frequency of once per month for all equipment used to transfer or apply coatings, adhesives, or organic HAP solvents;

\* \* \* \* \*

(d) Cleaning and washoff solvent accounting system. Each owner or operator of an affected source shall develop an organic HAP solvent accounting form to record:

(1) The quantity and type of organic HAP solvent used each month for washoff and cleaning, as defined in Sec. 63.801 of this subpart;

(2) The number of pieces washed off, and the reason for the washoff; and

(3) The quantity of spent organic HAP solvent generated from each washoff and cleaning operation each month, and whether it is recycled onsite or disposed offsite.

\* \* \* \* \*

(f) Spray booth cleaning. Each owner or operator of an affected source shall not use compounds containing more than 8.0 percent by weight of VOC for cleaning spray booth components other than conveyors, continuous coaters and their enclosures, or metal filters, or plastic filters unless the spray booth is being refurbished. If the spray booth is being refurbished, that is the spray booth coating or other protective material used to cover the booth is being replaced, the affected source shall use no more than 1.0 gallon of organic HAP solvent per booth to prepare the surface of the booth prior to applying the booth coating.

\* \* \* \* \*

(i) Line cleaning. Each owner or operator of an affected source shall pump or drain all organic HAP solvent used for line cleaning into a normally closed container.

\* \* \* \* \*

(j) Gun cleaning. Each owner or operator of an affected source shall collect all organic HAP solvent used to clean spray guns into a normally closed container.

\* \* \* \* \*

(1) \* \* \*

(6) If, after November 1998, an affected source uses a VHAP of potential concern listed in table 6 of this subpart for which a baseline level has not been previously established, then the baseline level shall be established as the de minimis level provided in that same table for that chemical. The affected source shall track the annual usage of each VHAP of potential concern identified in this paragraph that is present in amounts subject to MSDS reporting as required by OSHA. If usage of the VHAP of potential concern exceeds the de minimis level listed in table 6 of this subpart for that chemical, then the affected source shall provide an explanation to the permitting authority that documents the reason for the exceedance of the de minimis level. If the explanation is not one of those listed in paragraphs (1)(4)(i) through (1)(4)(iv) of this section, the affected source shall follow the procedures in paragraph (1)(5) of this section.

4. Table 2 of subpart JJ is revised to read as follows:

Table 2.--List of Volatile Hazardous Air Pollutants

Chemical name	CAS No.
Acetaldehyde.....	75070
Acetamide.....	60355
Acetonitrile.....	75058
Acetophenone.....	98862
2-Acetylaminofluorine.....	53963
Acrolein.....	107028
Acrylamide.....	79061
Acrylic acid.....	79107
Acrylonitrile.....	107131
Allyl chloride.....	107051
4-Aminobiphenyl.....	92671
Aniline.....	62533
o-Anisidine.....	90040
Benzene.....	71432
Benzidine.....	92875
Benzotrichloride.....	98077
Benzyl chloride.....	100447
Biphenyl.....	92524
Bis (2-ethylhexyl) phthalate (DEHP).....	117817
Bis (chloromethyl) ether.....	542881
Bromoform.....	75252
1,3-Butadiene.....	106990
Carbon disulfide.....	75150
Carbon tetrachloride.....	56235
Carbonyl sulfide.....	463581
Catechol.....	120809
Chloroacetic acid.....	79118
2-Chloroacetophenone.....	532274
Chlorobenzene.....	108907
Chloroform.....	67663
Chloromethyl methyl ether.....	107302
Chloroprene.....	126998
Cresols (isomers and mixture).....	1319773
o-Cresol.....	95487
m-Cresol.....	108394
p-Cresol.....	106445
Cumene.....	98828
2,4-D (2,4-Dichlorophenoxyacetic acid, including salts and esters).....	94757
DDE (1,1-Dichloro-2,2-bis(p-chlorophenyl)ethylene).....	72559
Diazomethane.....	334883
Dibenzofuran.....	132649
1,2-Dibromo-3-chloropropane.....	96128
Dibutylphthalate.....	84742
1,4-Dichlorobenzene.....	106467
3,3'-Dichlorobenzidine.....	91941
Dichloroethyl ether (Bis(2-chloroethyl)ether).....	111444
1,3-Dichloropropene.....	542756
Diethanolamine.....	111422
N,N-Dimethylaniline.....	121697
Diethyl sulfate.....	64675

3,3'-Dimethoxybenzidine.....	119904
4-Dimethylaminoazobenzene.....	60117
3,3'-Dimethylbenzidine.....	119937
Dimethylcarbamoyl chloride.....	79447
N,N-Dimethylformamide.....	68122
1,1-Dimethylhydrazine.....	57147
Dimethyl phthalate.....	131113
Dimethyl sulfate.....	77781
4,6-Dinitro-o-cresol, and salts.....	534521
2,4-Dinitrophenol.....	51285
2,4-Dinitrotoluene.....	121142
1,4-Dioxane (1,4-Diethyleneoxide).....	123911
1,2-Diphenylhydrazine.....	122667
Epichlorohydrin (1-Chloro-2,3-epoxypropane).....	106898
1,2-Epoxybutane.....	106887
Ethyl acrylate.....	140885
Ethylbenzene.....	100414
Ethyl carbamate (Urethane).....	51796
Ethyl chloride (Chloroethane).....	75003
Ethylene dibromide (Dibromoethane).....	106934
Ethylene dichloride (1,2-Dichloroethane).....	107062
Ethylene glycol.....	107211
Ethylene oxide.....	75218
Ethylenethiourea.....	96457
Ethylidene dichloride (1,1-Dichloroethane).....	75343
Formaldehyde.....	50000
Glycoethers <SUP>a.....	.....
Hexachlorobenzene.....	118741
Hexachloro-1,3-butadiene.....	87683
Hexachloroethane.....	67721
Hexamethylene-1,6-diisocyanate.....	822060
Hexamethylphosphoramide.....	680319
Hexane.....	110543
Hydrazine.....	302012
Hydroquinone.....	123319
Isophorone.....	78591
Maleic anhydride.....	108316
Methanol.....	67561
Methyl bromide (Bromomethane).....	74839
Methyl chloride (Chloromethane).....	74873
Methyl chloroform (1,1,1-Trichloroethane).....	71556
Methyl ethyl ketone (2-Butanone).....	78933
Methylhydrazine.....	60344
Methyl iodide (Iodomethane).....	74884
Methyl isobutyl ketone (Hexone).....	108101
Methyl isocyanate.....	624839
Methyl methacrylate.....	80626
Methyl tert-butyl ether.....	1634044
4,4'-Methylenebis (2-chloroaniline).....	101144
Methylene chloride (Dichloromethane).....	75092
4,4'-Methylenediphenyl diisocyanate (MDI).....	101688
4,4'-Methylenedianiline.....	101779
Naphthalene.....	91203
Nitrobenzene.....	98953
4-Nitrobiphenyl.....	92933
4-Nitrophenol.....	100027
2-Nitropropane.....	79469

N-Nitroso-N-methylurea.....	684935
N-Nitrosodimethylamine.....	62759
N-Nitrosomorpholine.....	59892
Phenol.....	108952
p-Phenylenediamine.....	106503
Phosgene.....	75445
Phthalic anhydride.....	85449
Polychlorinated biphenyls (Aroclors).....	1336363
Polycyclic Organic Matter <SUP>b .....	.....
1,3-Propane sultone.....	1120714
beta-Propiolactone.....	57578
Propionaldehyde.....	123386
Propoxur (Baygon).....	114261
Propylene dichloride (1,2-Dichloropropane).....	78875
Propylene oxide.....	75569
1,2-Propylenimine (2-Methyl aziridine).....	75558
Quinone.....	106514
Styrene.....	100425
Styrene oxide.....	96093
2,3,7,8-Tetrachlorodibenzo-p-dioxin.....	1746016
1,1,2,2-Tetrachloroethane.....	79345
Tetrachloroethylene (Perchloroethylene).....	127184
Toluene.....	108883
2,4-Toluenediamine.....	95807
Toluene-2,4-diisocyanate.....	584849
o-Toluidine.....	95534
1,2,4-Trichlorobenzene.....	120821
1,1,2-Trichloroethane.....	79005
Trichloroethylene.....	79016
2,4,5-Trichlorophenol.....	95954
2,4,6-Trichlorophenol.....	88062
Triethylamine.....	121448
Trifluralin.....	1582098
2,2,4-Trimethylpentane.....	540841
Vinyl acetate.....	108054
Vinyl bromide.....	593602
Vinyl chloride.....	75014
Vinylidene chloride (1,1-Dichloroethylene).....	75354
Xylenes (isomers and mixture).....	1330207
o-Xylene.....	95476
m-Xylene.....	108383
p-Xylene.....	106423

<SUP>a Includes mono- and di-ethers of ethylene glycol, diethylene glycols and triethylene glycol; R-(OCH<INF>2CH<INF>2) RR-OR where:

n = 1, 2, or 3,

R = alkyl or aryl groups

R' = R, H, or groups which, when removed, yield glycol ethers with the structure: R-(OCH<INF>2CH<INF>2)<INF>n--OH. Polymers are excluded from the glycol category.

<SUP>b Includes organic compounds with more than one benzene ring, and which have a boiling point greater than or equal to 100 deg.C.

5. Table 4 of subpart JJ is revised to read as follows:

Table 4.--Pollutants Excluded From Use in Cleaning and Washoff Solvents

Chemical name	CAS No.
4-Aminobiphenyl.....	92671
Styrene oxide.....	96093
Diethyl sulfate.....	64675
N-Nitrosomorpholine.....	59892
Dimethyl formamide.....	68122
Hexamethylphosphoramide.....	680319
Acetamide.....	60355
4,4'-Methylenedianiline.....	101779
o-Anisidine.....	90040
2,3,7,8-Tetrachlorodibenzo-p-dioxin.....	1746016
Beryllium salts.....	.....
Benzidine.....	92875
N-Nitroso-N-methylurea.....	684935
Bis (chloromethyl) ether.....	542881
Dimethyl carbamoyl chloride.....	79447
Chromium compounds (hexavalent).....	.....
1,2-Propylenimine (2-Methyl aziridine).....	75558
Arsenic and inorganic arsenic compounds.....	99999904
Hydrazine.....	302012
1,1-Dimethyl hydrazine.....	57147
Beryllium compounds.....	7440417
1,2-Dibromo-3-chloropropane.....	96128
N-Nitrosodimethylamine.....	62759
Cadmium compounds.....	.....
Benzo (a) pyrene.....	50328
Polychlorinated biphenyls (Aroclors).....	1336363
Heptachlor.....	76448
3,3'-Dimethyl benzidine.....	119937
Nickel subsulfide.....	12035722
Acrylamide.....	79061
Hexachlorobenzene.....	118741
Chlordane.....	57749
1,3-Propane sultone.....	1120714
1,3-Butadiene.....	106990
Nickel refinery dust.....	.....
2-Acetylaminoflourine.....	53963
3,3'-Dichlorobenzidine.....	53963
Lindane (hexachlorocyclohexane, gamma).....	58899
2,4-Toluene diamine.....	95807
Dichloroethyl ether (Bis(2-chloroethyl) ether).....	111444
1,2-Diphenylhydrazine.....	122667
Toxaphene (chlorinated camphene).....	8001352
2,4-Dinitrotoluene.....	121142
3,3'-Dimethoxybenzidine.....	119904
Formaldehyde.....	50000
4,4'-Methylene bis (2-chloroaniline).....	101144
Acrylonitrile.....	107131
Ethylene dibromide (1,2-Dibromoethane).....	106934
DDE (1,1-p-chlorophenyl 1-2 dichloroethylene).....	72559
Chlorobenzilate.....	510156
Dichlorvos.....	62737

Vinyl chloride.....	75014
Coke Oven Emissions.....	.....
Ethylene oxide.....	75218
Ethylene thiourea.....	96457
Vinyl bromide (bromoethene).....	593602
Selenium sulfide (mono and di).....	7488564
Chloroform.....	67663
Pentachlorophenol.....	87865
Ethyl carbamate (Urethane).....	51796
Ethylene dichloride (1,2-Dichloroethane).....	107062
Propylene dichloride (1,2-Dichloropropane).....	78875
Carbon tetrachloride.....	56235
Benzene.....	71432
Methyl hydrazine.....	60344
Ethyl acrylate.....	140885
Propylene oxide.....	75569
Aniline.....	62533
1,4-Dichlorobenzene (p).....	106467
2,4,6-Trichlorophenol.....	88062
Bis (2-ethylhexyl) phthalate (DEHP).....	117817
o-Toluidine.....	95534
Propoxur.....	114261
1,4-Dioxane (1,4-Diethyleneoxide).....	123911
Acetaldehyde.....	75070
Bromoform.....	75252
Captan.....	133062
Epichlorohydrin.....	106898
Methylene chloride (Dichloromethane).....	75092
Dibenz (ah) anthracene.....	53703
Chrysene.....	218019
Dimethyl aminoazobenzene.....	60117
Benzo (a) anthracene.....	56553
Benzo (b) fluoranthene.....	205992
Antimony trioxide.....	1309644
2-Nitropropane.....	79469
1,3-Dichloropropene.....	542756
7, 12-Dimethylbenz(a) anthracene.....	57976
Benz(c) acridine.....	225514
Indeno(1,2,3-cd)pyrene.....	193395
1,2:7,8-Dibenzopyrene.....	189559

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6. Table 5 of subpart JJ is revised to read as follows:



Table 5.--List of VHAP of Potential Concern Identified by Industry

CAS No.	Chemical name	EPA de minimis, tons/ yr
*68122.....	Dimethyl formamide.....	1.0
*50000.....	Formaldehyde.....	0.2
*75092.....	Methylene chloride.....	4.0
*79469.....	2-Nitropropane.....	1.0
*78591.....	Isophorone.....	0.7
1000425.....	Styrene monomer.....	1.0
*108952.....	Phenol.....	0.1
*111422.....	Dimethanolamine.....	5.0
*109864.....	2-Methoxyethanol.....	10.0
111159.....	2-Ethoxyethyl acetate.....	10.0

\* Also in Table 6

7. Table 6 of subpart JJ is revised to read as follow:

Table 6.--VHAP of Potential Concern

CAS No.	Chemical name	EPA de minimis, tons/ yr*
92671.....	4-Aminobiphenyl.....	1.0
96093.....	Styrene oxide.....	1.0
64675.....	Diethyl sulfate.....	1.0
59892.....	N-Nitrosomorpholine.....	1.0
68122.....	Dimethyl formamide.....	1.0
680319.....	Hexamethylphosphoramide.....	0.01
60355.....	Acetamide.....	1.0
101779.....	4,4'-Methylenedianiline.....	1.0
90040.....	o-Anisidine.....	1.0
1746016.....	2,3,7,8-Tetrachlorodibenzo-p-dioxin	0.00000006
92875.....	Benzidine.....	0.00003
684935.....	N-Nitroso-N-methylurea.....	0.00002
542881.....	Bis(chloromethyl) ether.....	0.00003
79447.....	Dimethyl carbamoyl chloride.....	0.002
75558.....	1,2-Propylenimine (2-Methyl aziridine).	0.0003
57147.....	1,1-Dimethyl hydrazine.....	0.0008
96128.....	1,2-Dibromo-3-chloropropane.....	0.001
62759.....	N-Nitrosodimethylamine.....	0.0001
50328.....	Benzo (a) pyrene.....	0.001
1336363.....	Polychlorinated biphenyls (Aroclors).	0.0009
76448.....	Heptachlor.....	0.002
119937.....	3,3'-Dimethyl benzidine.....	0.001
79061.....	Acrylamide.....	0.002
118741.....	Hexachlorobenzene.....	0.004
57749.....	Chlordane.....	0.005
1120714.....	1,3-Propane sultone.....	0.003
106990.....	1,3-Butadiene.....	0.007
53963.....	2-Acetylaminoflourine.....	0.0005

91941.....	3,3'-Dichlorobenzidine.....	0.02
58899.....	Lindane (hexachlorocyclohexane, gamma).	0.005
95807.....	2,4-Toluene diamine.....	0.002
111444.....	Dichloroethyl ether (Bis(2- chloroethyl)ether).	0.006
122667.....	1,2--Diphenylhydrazine.....	0.009
8001352.....	Toxaphene (chlorinated camphene)...	0.006
121142.....	2,4-Dinitrotoluene.....	0.002
119904.....	3,3'-Dimethoxybenzidine.....	0.01
50000.....	Formaldehyde.....	0.2
101144.....	4,4'-Methylene bis(2-chloroaniline)	0.02
107131.....	Acrylonitrile.....	0.03
106934.....	Ethylene dibromide(1,2- Dibromoethane).	0.01
72559.....	DDE (1,1-p-chlorophenyl 1-2 dichloroethylene).	0.01
510156.....	Chlorobenzilate.....	0.04
62737.....	Dichlorvos.....	0.02
75014.....	Vinyl chloride.....	0.02
75218.....	Ethylene oxide.....	0.09
96457.....	Ethylene thiourea.....	0.06
593602.....	Vinyl bromide (bromoethene).....	0.06
67663.....	Chloroform.....	0.09
87865.....	Pentachlorophenol.....	0.07
51796.....	Ethyl carbamate (Urethane).....	0.08
107062.....	Ethylene dichloride (1,2- Dichloroethane).	0.08
78875.....	Propylene dichloride (1,2- Dichloropropane).	0.1
56235.....	Carbon tetrachloride.....	0.1
71432.....	Benzene.....	0.2
140885.....	Ethyl acrylate.....	0.1
75569.....	Propylene oxide.....	0.5
62533.....	Aniline.....	0.1
106467.....	1,4-Dichlorobenzene(p).....	0.3
88062.....	2,4,6-Trichlorophenol.....	0.6
117817.....	Bis (2-ethylhexyl) phthalate (DEHP)	0.5
95534.....	o-Toluidine.....	0.4
114261.....	Propoxur.....	2.0
79016.....	Trichloroethylene.....	1.0
123911.....	1,4-Dioxane (1,4-Diethyleneoxide)..	0.6
75070.....	Acetaldehyde.....	0.9
75252.....	Bromoform.....	2.0
133062.....	Captan.....	2.0
106898.....	Epichlorohydrin.....	2.0
75092.....	Methylene chloride (Dichloromethane).	4.0
127184.....	Tetrachloroethylene (Perchloroethylene).	4.0
53703.....	Dibenz (ah) anthracene.....	0.01
218019.....	Chrysene.....	0.01
60117.....	Dimethyl aminoazobenzene.....	1.0
56553.....	Benzo (a) anthracene.....	0.01
205992.....	Benzo (b) fluoranthene.....	0.01
79469.....	2-Nitropropane.....	1.0
542756.....	1,3-Dichloropropene.....	1.0

57976.....	7,12-Dimethylbenz (a) anthracene...	0.01
225514.....	Benz(c)acridine.....	0.01
193395.....	Indeno(1,2,3-cd)pyrene.....	0.01
189559.....	1,2:7,8-Dibenzopyrene.....	0.01
79345.....	1,1,2,2-Tetrachloroethane.....	0.03
91225.....	Quinoline.....	0.0006
75354.....	Vinylidene chloride (1,1-Dichloroethylene).	0.04
87683.....	Hexachlorobutadiene.....	0.09
82688.....	Pentachloronitrobenzene (Quintobenzene).	0.03
78591.....	Isophorone.....	0.7
79005.....	1,1,2-Trichloroethane.....	0.1
74873.....	Methyl chloride (Chloromethane)....	1.0
67721.....	Hexachloroethane.....	0.5
1582098.....	Trifluralin.....	0.9
1319773.....	Cresols/Cresylic acid (isomers and mixture).	1.0
108394.....	m-Cresol.....	1.0
75343.....	Ethylidene dichloride (1,1-Dichloroethane).	1.0
95487.....	o-Cresol.....	1.0
106445.....	p-Cresol.....	1.0
74884.....	Methyl iodide (Iodomethane).....	1.0
100425.....	Styrene.....	1.0
107051.....	Allyl chloride.....	1.0
334883.....	Diazomethane.....	1.0
95954.....	2,4,5--Trichlorophenol.....	1.0
133904.....	Chloramben.....	1.0
106887.....	1,2--Epoxybutane.....	1.0
108054.....	Vinyl acetate.....	1.0
126998.....	Chloroprene.....	1.0
123319.....	Hydroquinone.....	1.0
92933.....	4-Nitrobiphenyl.....	1.0
56382.....	Parathion.....	0.1
13463393.....	Nickel Carbonyl.....	0.1
60344.....	Methyl hydrazine.....	0.006
151564.....	Ethylene imine.....	0.0003
77781.....	Dimethyl sulfate.....	0.1
107302.....	Chloromethyl methyl ether.....	0.1
57578.....	beta-Propiolactone.....	0.1
100447.....	Benzyl chloride.....	0.04
98077.....	Benzotrichloride.....	0.0006
107028.....	Acrolein.....	0.04
584849.....	2,4--Toluene diisocyanate.....	0.1
75741.....	Tetramethyl lead.....	0.01
78002.....	Tetraethyl lead.....	0.01
12108133.....	Methylcyclopentadienyl manganese...	0.1
624839.....	Methyl isocyanate.....	0.1
77474.....	Hexachlorocyclopentadiene.....	0.1
62207765.....	Fluomine.....	0.1
10210681.....	Cobalt carbonyl.....	0.1
79118.....	Chloroacetic acid.....	0.1
534521.....	4,6-Dinitro-o-cresol, and salts....	0.1
101688.....	Methylene diphenyl diisocyanate....	0.1
108952.....	Phenol.....	0.1
62384.....	Mercury, (acetato-o) phenyl.....	0.01

98862.....	Acetophenone.....	1.0
108316.....	Maleic anhydride.....	1.0
532274.....	2-Chloroacetophenone.....	0.06
51285.....	2,4-Dinitrophenol.....	1.0
109864.....	2-Methoxy ethanol.....	10.0
98953.....	Nitrobenzene.....	1.0
74839.....	Methyl bromide (Bromomethane).....	10.0
75150.....	Carbon disulfide.....	1.0
121697.....	N,N-Dimethylaniline.....	1.0
106514.....	Quinone.....	5.0
123386.....	Propionaldehyde.....	5.0
120809.....	Catechol.....	5.0
85449.....	Phthalic anhydride.....	5.0
463581.....	Carbonyl sulfide.....	5.0
132649.....	Dibenzofurans.....	5.0
100027.....	4-Nitrophenol.....	5.0
540841.....	2,2,4-Trimethylpentane.....	5.0
111422.....	Diethanolamine.....	5.0
822060.....	Hexamethylene-1,6-diisocyanate.....	5.0
	Glycol ethers<SUP>a.....	5.0
	Polycyclic organic matter<SUP>b.....	0.01

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\* These values are based on the de minimis levels provided in the proposed rulemaking pursuant to section 112(g) of the Act using a 70-year lifetime exposure duration for all VHAP. Default assumptions and the de minimis values based on inhalation reference doses (RfC) are not changed by this adjustment.

<SUP>a Except for ethylene glycol butyl ether, ethylene glycol ethyl ether (2-

ethoxy ethanol), ethylene glycol hexyl ether, ethylene glycol methyl ether (2-methoxyethanol), ethylene glycol phenyl ether, ethylene glycol propyl ether, ethylene glycol mono-2-ethylhexyl ether, diethylene glycol butyl ether, diethylene glycol ethyl ether, diethylene glycol methyl ether, diethylene glycol hexyl ether, diethylene glycol phenyl ether, diethylene glycol propyl ether, triethylene glycol butyl ether, triethylene glycol ethyl ether, triethylene glycol methyl ether, triethylene glycol propyl ether, ethylene glycol butyl ether acetate, ethylene glycol ethyl ether acetate, and diethylene glycol ethyl ether acetate.

<SUP>b Except for benzo(b)fluoranthene, benzo(a)anthracene, benzo(a)pyrene, 7,12-dimethylbenz(a)anthracene, benz(c)acridine, chrysene, dibenz(ah)anthracene, 1,2:7,8-dibenzopyrene, indeno(1,2,3-cd)pyrene, but including dioxins and furans.

Macho

Michael Bryant  
Eastern Research Group  
P.O. Box 2010  
Morrisville, NC 27560

P.E. Certification Statement

**Permittee:**  
Merillat Corporation

**File Number.:**  
**Facility ID No.:**

0830137-001-AC  
0830137

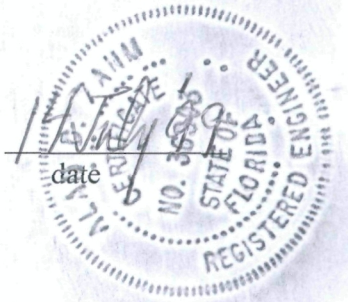
**Project type:** Air Construction Permit  
**County:** Marion

*I HEREBY CERTIFY* that the engineering features<sup>(1)</sup> described in the above referenced application and subject to the proposed permit conditions provide reasonable assurance of compliance with applicable provisions of Chapter 403, Florida Statutes, and Florida Administrative Code Chapters 62-4 and 62-204 through 62-297. However, I have not evaluated and I do not certify aspects of the proposal outside of my area of expertise (including but not limited to the electrical, mechanical, structural, hydrological, and geological features).

*(1) The engineering features are not fully described in the application. Exact equipment will be provided when construction is complete.*

(Seal)

*Alan Zahm*  
ALAN ZAHM, P.E.  
Registration Number: 36903



Permitting Authority:  
Florida Department of Environmental Protection  
3319 Maguire Boulevard, Suite 232  
Orlando, Florida 32803  
Telephone: 407/894-7555  
Fax: 407/897-5963

## TECHNICAL EVALUATION AND DETERMINATION

### NAME AND LOCATION:

Merillat Corporation

Applicant: 5353 West U.S. 223  
Adrian, MI 49221

Facility: SW 38<sup>th</sup> St. between SR 40 and SW 20<sup>th</sup> St.  
Ocala, FL 34474

### SCHEDULE:

Received: 5/25/99

Complete: 7/6/99

Drafted: 7/8/99

### DESCRIPTION:

The proposed wood cabinet manufacturing facility will include two primary processing areas: woodworking and finishing. A process flow diagram for the proposed facility operations is shown in Figure 1.

The woodworking operations will consist of machinery that will be used to form wood cabinet and frame components from previously milled wood. The woodworking machinery will include equipment such as saws, borers, routers, and shaping and carving machines. After the machining operations, the wood parts will be glued to form panels, frames, and doors in a component assembly process. Then the wood parts will be exposed to a variety of sanding operations prior to the application of finishing materials. A wood dust collection system will be employed for removing dust and chips from the processing operations described above. The typical dust collection system configuration will consist of rigid ductwork from each dust generating equipment unit connected to fabric filter baghouses. Exhaust from the baghouses will be vented to the atmosphere via a series of rooftop stacks.

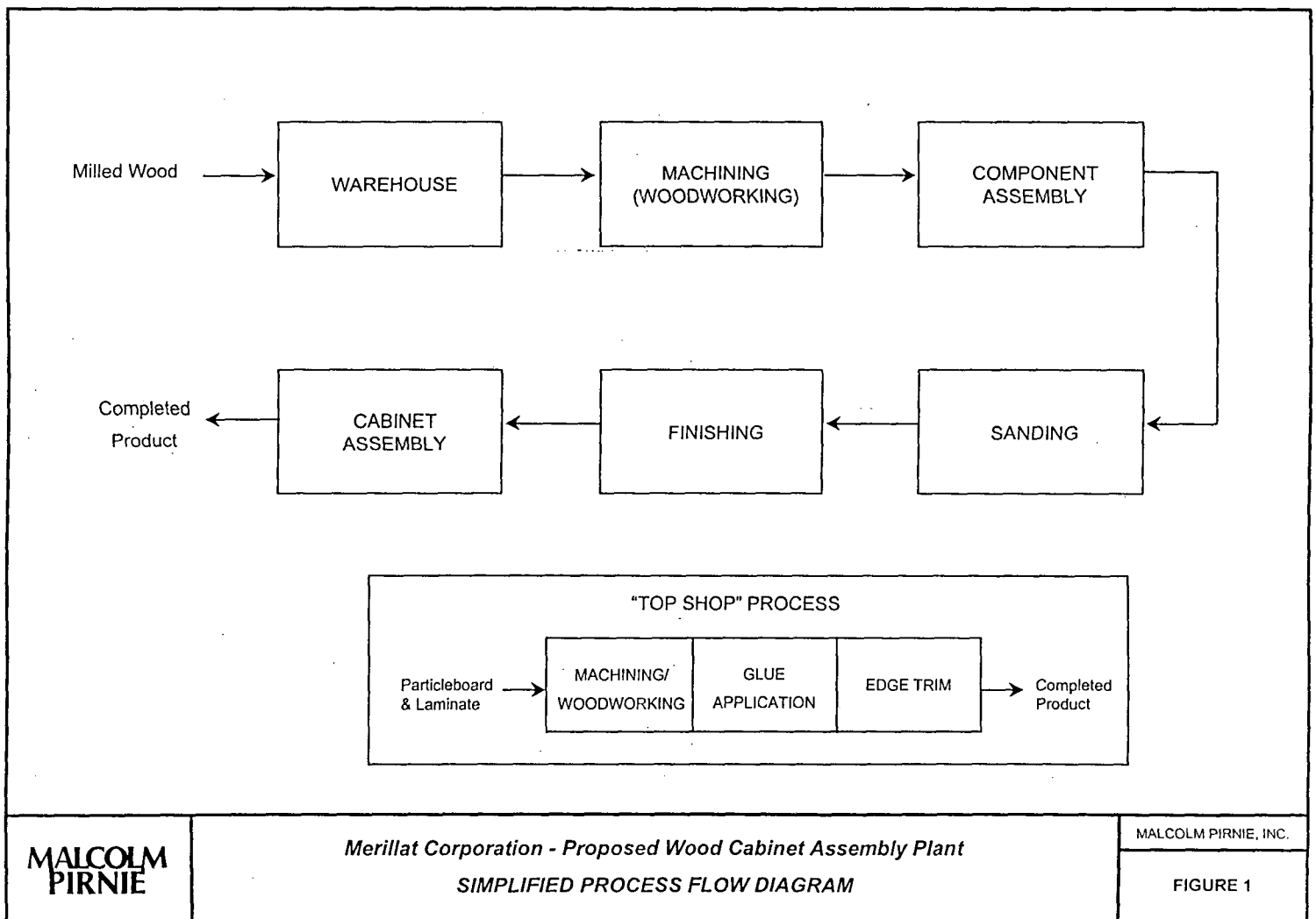
The wood cabinet parts finishing system will consist of a series of application spray booths, flash areas, brush and wipe sanding stations, and curing ovens. These processes will be connected by an overhead conveyor system that will continually move the parts through the application and process steps. The process will begin with the cabinet parts, such as doors, drawer fronts, and frames, being hung on an overhead conveyor with the use of specially designed hooks. The first on-line operation will be a wiping or brushing process to clean the product prior to the first coating step. This operation, depending on line speed, will be either manual or automated with the use of a light brush and vacuum system. A small dust collection device will be used for dust collection with air returned to the manufacturing building. Next, toner will be applied manually by operators using hand held high volume low-pressure (HVLP) spray guns. Toner will be applied only to a small percentage of products to achieve certain colors or to harmonize the color of the wood. Also, stain will be applied manually by operators again using HVLP spray guns in back-to-back spray booths. Stain will be applied to approximately two-thirds of the product finished as required to change the color of the wood. The stained product will proceed to a wiping area where the parts will be hand wiped to achieve the desired consistent color. After wiping, the stained parts will enter a low temperature oven operated in the range of 150 degrees Fahrenheit to thoroughly dry the stain.

A clear coat sealer will then be applied manually by operators using HVLP spray guns in back-to-back spray booths. The clear coat sealer will be applied to all products to seal the porosity of the wood. The clear coat sealed parts will be allowed to flash in a ventilated flash area, and will then enter an oven where the clear coat will be cured. After a short cool down period, the parts will be sent to a sealer sand area for light sanding to remove any raised grain. Here the parts will be inspected and readied for the application of the final clear topcoat. The dust generated by the sanding operation will be collected by a small dust collection system with the air returned to the finishing room.

The parts then will enter the last finishing process: the application of the clear topcoat. The topcoat will be applied manually by operators using HVLP spray guns in back-to-back spray booths. The top-coated parts will be allowed to flash in a ventilated flash area and will then enter an oven where the topcoat will be cured. The parts will be allowed to cool on-line for a short time prior to being moved to the cabinet assembly area where final products will be assembled.



Additional off-line spray booths will also be required for touch-up and repair, special parts or products, or special colors. Generally, these systems are not conveyORIZED and parts are moved manually to the off-line ovens, sanding, or wiping areas. Also, a separate "top-shop" side operation will be used to produce laminated cabinet tops. This operation will involve machining operations, glue application, and a final edge trim step. Particulate matter emissions generated from the machining operations will be controlled by a small dust collection system with air returned to the manufacturing building.



**MALCOLM  
PIRNIE**

*Merillat Corporation - Proposed Wood Cabinet Assembly Plant*  
**SIMPLIFIED PROCESS FLOW DIAGRAM**

MALCOLM PIRNIE, INC.

FIGURE 1

RULE APPLICABILITY:

4. <input checked="" type="checkbox"/> Major Source of Hazardous Air Pollutants (HAPs)?
5. <input type="checkbox"/> Synthetic Minor Source of HAPs?
6. <input type="checkbox"/> One or More Emissions Units Subject to NSPS?
7. <input checked="" type="checkbox"/> One or More Emission Units Subject to NESHAP?

40 CFR 63, Subpart JJ - National Emission Standards for Wood Furniture Manufacturing Operations
62-210.300 (1) Air Construction Permits
62-210.300 (2) Air Operation Permits
62-212 Preconstruction Review (General Requirements only)
62-213 Operation Permits for Major Sources of Air Pollution
62-296.712 Miscellaneous Manufacturing Process Operations
62-297.620 Exceptions and Approval of Alternate Procedures and Requirements (alternative standard of 5 % opacity for units equipped with a baghouse. Proposed in lieu of 62-296.712)

- Merillat will not rely on air pollution control devices to comply with the emission limits (please recognize that Table 1 submitted to the DEP on June 2, 1999, is simply a summary of the emission limits directly from the regulation).
- 1. Merillat will comply with the emission limits for finishing operations prescribed under 40 CFR 63, Subpart JJ on a weighted average VHAP content basis across all coatings. Please disregard all previous indications that suggest that a compliant material basis will be used. Since a compliant finishing material basis will not be used, we are not providing an example table that categorizes each type (sealers, stains, topcoats, etc.) of finishing material.
- 2. An example table from an existing Merillat facility pertaining to the use of contact adhesives is not available, as these materials are not typically used at other Merillat facilities. However, only compliant contact adhesives (maximum VHAP content of 0.2 lb VHAP/lb solids) will be used by Merillat at the proposed Ocala facility in accordance with 40 CFR 63, Subpart JJ.
- Finishing materials will be applied manually by operators using spray guns in application spray booths. Since continuous coaters will not be used, 40 CFR 63.804(g)(3) is not applicable.

EMISSIONS SUMMARY:

Emission Unit ID Number	Process/Emission Activity	Maximum Expected Emissions, tons/year		
		VOC	HAP*	TSP/PM <sub>10</sub>
1	Woodworking/Machining			0.65
	Brushing			0.077
	Light Sanding			0.15
	Top-Shop Woodworking/Machining			0.28
2	Finishing Material Application	236	236	
	Hard Glue Application	0.051	0.003	
	Label Glue Application	0.028	0.028	
	Top-Shop Glue Application	11	11	
<b>Facility Totals</b>		<b>247.1</b>	<b>247.0</b>	<b>1.2</b>

\* Facility will comply with VHAP emission standards & work practice standards prescribed by the Wood Furniture NESHAP.

CONCLUSION:

Based upon the application, the Department has been provided reasonable assurance the source can be operated in compliance with applicable air pollution rules and regulations, provided the source is operated as specified in the application and permit conditions are met.

William J. Edwards  
 William J. Edwards  
 Reviewing Air Permit Engineer

Date: 7/8/99

Alan D. Zahn  
 Alan D. Zahn, P.E.  
 Air Permitting Supervisor

Date: 14 July '99

## PROCESS DESCRIPTION

The proposed wood cabinet manufacturing facility will include two primary processing areas: woodworking and finishing. A process flow diagram for the proposed facility operations is shown in Figure 1.

The woodworking operations will consist of machinery that will be used to form wood cabinet and frame components from previously milled wood. The woodworking machinery will include equipment such as saws, borers, routers, and shaping and carving machines. After the machining operations, the wood parts will be glued to form panels, frames, and doors in a component assembly process. Then the wood parts will be exposed to a variety of sanding operations prior to the application of finishing materials. A wood dust collection system will be employed for removing dust and chips from the processing operations described above. The typical dust collection system configuration will consist of rigid ductwork from each dust generating equipment unit connected to fabric filter baghouses. Exhaust from the baghouses will be vented to the atmosphere via a series of rooftop stacks.

The wood cabinet parts finishing system will consist of a series of application spray booths, flash areas, brush and wipe sanding stations, and curing ovens. These processes will be connected by an overhead conveyor system that will continually move the parts through the application and process steps. The process will begin with the cabinet parts, such as doors, drawer fronts, and frames, being hung on an overhead conveyor with the use of specially designed hooks. The first on-line operation will be a wiping or brushing process to clean the product prior to the first coating step. This operation, depending on line speed, will be either manual or automated with the use of a light brush and vacuum system. A small dust collection device will be used for dust collection with air returned to the manufacturing building. Next, toner will be applied manually by operators using hand held high volume low-pressure (HVLP) spray guns. Toner will be applied only to a small percentage of products to achieve certain colors or to harmonize the color of the wood. Also, stain will be applied manually by operators again using HVLP spray guns in back-to-back spray booths. Stain will be applied to

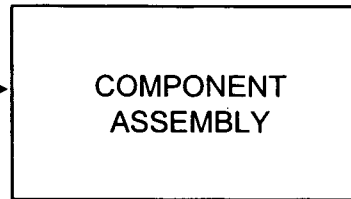
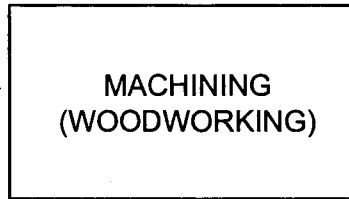
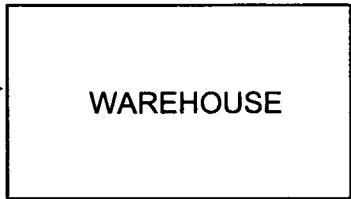
approximately two-thirds of the product finished as required to change the color of the wood. The stained product will proceed to a wiping area where the parts will be hand wiped to achieve the desired consistent color. After wiping, the stained parts will enter a low temperature oven operated in the range of 150 degrees Fahrenheit to thoroughly dry the stain.

A clear coat sealer will then be applied manually by operators using HVLP spray guns in back-to-back spray booths. The clear coat sealer will be applied to all products to seal the porosity of the wood. The clear coat sealed parts will be allowed to flash in a ventilated flash area, and will then enter an oven where the clear coat will be cured. After a short cool down period, the parts will be sent to a sealer sand area for light sanding to remove any raised grain. Here the parts will be inspected and readied for the application of the final clear topcoat. The dust generated by the sanding operation will be collected by a small dust collection system with the air returned to the finishing room.

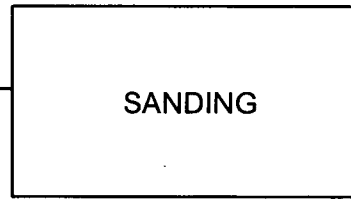
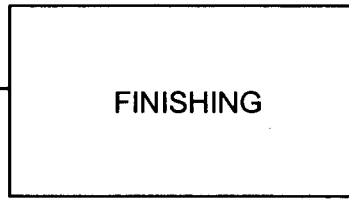
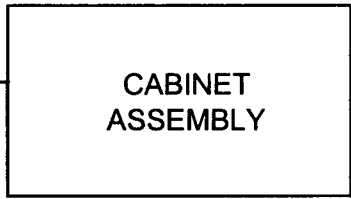
The parts then will enter the last finishing process: the application of the clear topcoat. The topcoat will be applied manually by operators using HVLP spray guns in back-to-back spray booths. The top-coated parts will be allowed to flash in a ventilated flash area and will then enter an oven where the topcoat will be cured. The parts will be allowed to cool on-line for a short time prior to being moved to the cabinet assembly area where final products will be assembled.

Additional off-line spray booths will also be required for touch-up and repair, special parts or products, or special colors. Generally, these systems are not conveyORIZED and parts are moved manually to the off-line ovens, sanding, or wiping areas. Also, a separate "top-shop" side operation will be used to produce laminated cabinet tops. This operation will involve machining operations, glue application, and a final edge trim step. Particulate matter emissions generated from the machining operations will be controlled by a small dust collection system with air returned to the manufacturing building.

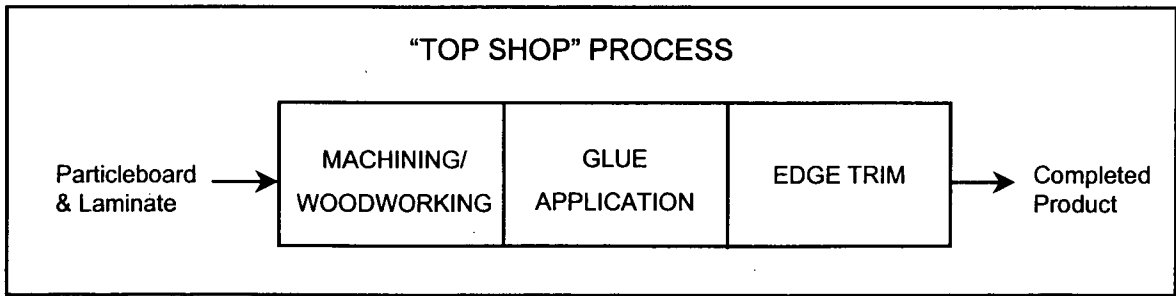
Milled Wood

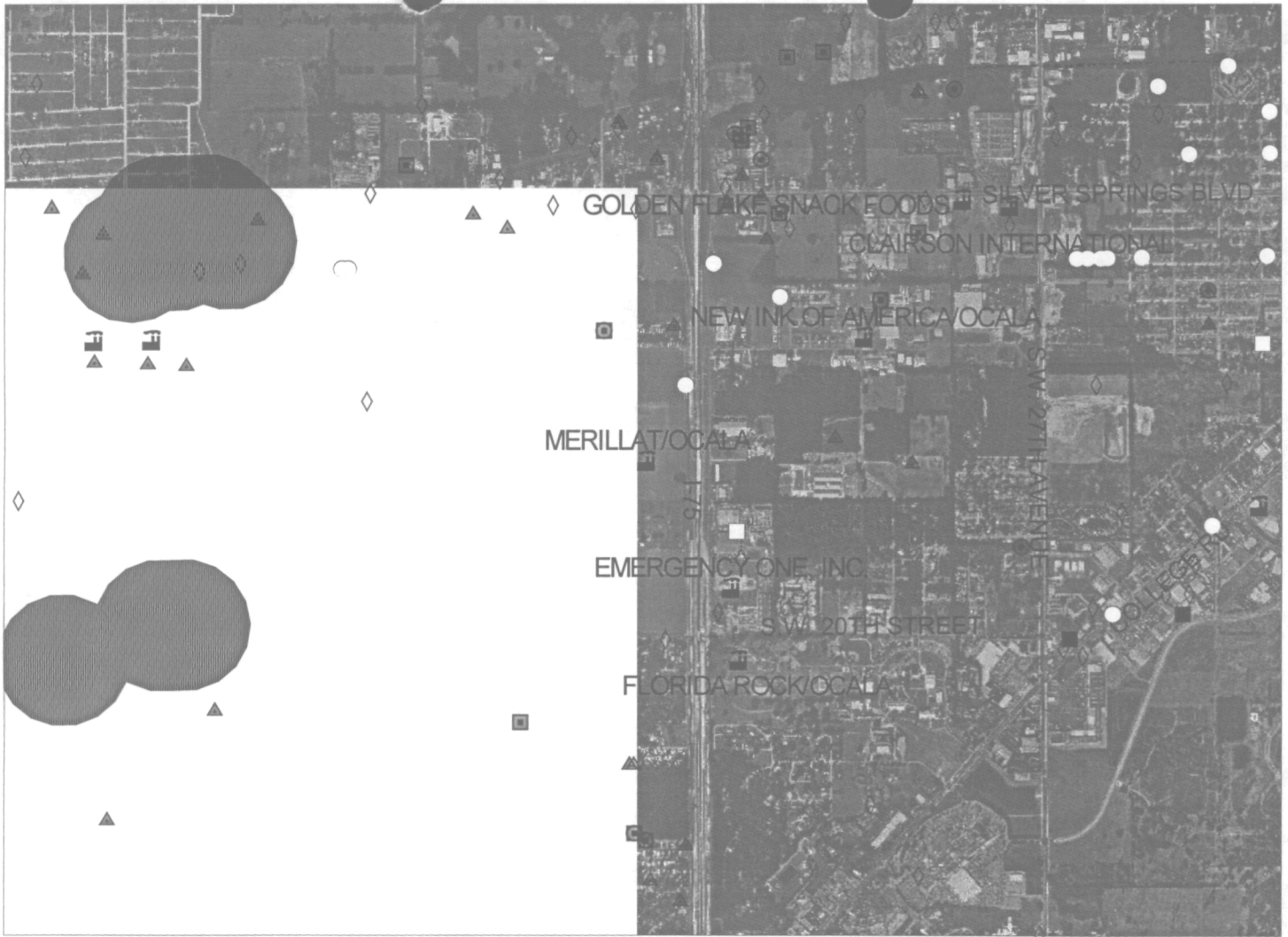


Completed  
Product



"TOP SHOP" PROCESS





- WAFR Sites
- WAFR Facilities
- ◇ STCM Facilities
- SQGs
- LQGs
- ⌘ ARMS Facilities
- Dry Cleaning Program Sites
- ▲ PWS Wells
- ⚡ Railroads (24K)
- Ground Water Contamination Areas



**Merillat Corporation**  
**I.D. Number: 0830137**  
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**Long: 82 deg 11' 15"**