From: Holtom, Jonathan
To: Costello, Martin
Subject: FW: 40 CFR 63 Subpart M Applicability Question
Date: Friday, November 09, 2012 2:03:59 PM

FYI, looks like I made the right decision!

From: Page.Lee@epamail.epa.gov [mailto:Page.Lee@epamail.epa.gov]
Sent: Friday, November 09, 2012 1:28 PM
To: Holtom, Jonathan
Subject: Fw: 40 CFR 63 Subpart M Applicability Question

----- Forwarded by Lee Page/R4/USEPA/US on 11/09/2012 01:26 PM -----

From: Scott Throwe/DC/USEPA/US
To: Lee Page/R4/USEPA/US
Date: 11/09/2012 01:05 PM
Subject: Re: Fw: 40 CFR 63 Subpart M Applicability Question

Lee: Sorry it took me so long to reply to you on this. I believe the answer is that the applicable requirements are based on the consumption of PCE for all of the dry cleaning systems located at the facility. So the facility would be an area source if it did not meet the conditions of 63.320(g).

Scott Throwe
U.S. EPA
Office of Enforcement and Compliance Assurance
Phone: (202) 564-7013
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Lee Page---11/01/2012 04:18:56 PM---Scott: see below - area source dry cleaner (based on amount of Perc used) is located at a major sou

From: Lee Page/R4/USEPA/US
To: Scott Throwe/DC/USEPA/US@EPA
Date: 11/01/2012 04:18 PM
Subject: Fw: 40 CFR 63 Subpart M Applicability Question

Scott: see below - area source dry cleaner (based on amount of Perc used) is located at a major source of HAPs - should the dry cleaner be subject to major source requirements or area source requirements?

What is your take on the question?

----- Forwarded by Lee Page/R4/USEPA/US on 11/01/2012 04:16 PM -----

From: "Holtom, Jonathan" <Jonathan.Holtom@dep.state.fl.us>
To: Lee Page/R4/USEPA/US@EPA
Date: 11/01/2012 03:19 PM
Subject: 40 CFR 63 Subpart M Applicability Question

Hi Lee,

Pursuant to our phone call, I am submitting the following for your consideration:

40 CFR 63, Subpart M for Dry Cleaners addresses applicability a little differently than other Subparts. Most subparts state something like “you are subject to this Subpart if you operate a _____ that is located at a major source of HAP.”

The applicability section for Subpart M states that “The provisions of this subpart apply to the owner or operator of each dry cleaning facility that uses perchloroethylene.” [§ 63.320(a)] So, all PCE users are subject regardless of size or location.

63.320(h) also states that “A dry cleaning facility is an area source if it does not meet the conditions of paragraph (g) of this section.” 63.320(g) includes the consumption limits of annual PCE usage that would make a dry cleaning facility a major source.

63.321 defines a “dry cleaning facility” as an establishment with one or more dry cleaning systems. The word establishment is not defined within the rule.

From the above, it appears that each dry cleaning facility (which includes all dry cleaning machines using PCE) is classified as either an area or major source solely based on its PCE consumption and not necessarily based on the HAP status of the entire facility, if there happens to be other operations within a contiguous area under common control.

All dry cleaners are subject to the subpart if they use any amount of PCE, but smaller consumers of PCE have somewhat less restrictive operation and work practice standards throughout the subpart than do larger consumers of PCE.

My question is, do the work practice requirements for a large PCE consumer apply to a very small PCE consumer simply because an otherwise Major HAP facility happens to include a small dry cleaning machine? Or, are area and major sources defined within this rules simply for determining which work practice standards need to be followed for different sized machines?

Thanks for your help!

Jon Holtom, P.E., CPM
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