



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION VII
901 NORTH 5TH STREET
KANSAS CITY, KANSAS 66101

- 1 NOV 2006

OFFICE OF
THE REGIONAL ADMINISTRATOR

Mr. Stuart Leigh
President
Lasco Bathware Inc.
8101 E. Kaiser Blvd.
Suite 200
Anaheim, California 92808

Dear Mr. Leigh:

This letter is in response to your request of October 11, 2006, regarding the Reinforced Composites Maximum Achievable Control Technology (MACT) rule, 40 Code Federal Regulation (CFR) Part 63, subpart WWWW. Specifically, you requested that the Agency address the following three questions:

- 1) What measures are being taken to ensure that any composite operation utilizing the "non-atomized mechanical application" emission factors for gelcoats or filled resins, have complied with the requirements of the rule?
- 2) What tests will be conducted to ensure that organic hazardous air pollutant (HAP) emissions are no greater than the organic HAP emissions predicted by the applicable non-atomized application equation(s) in Table 1 to the subpart?
- 3) How will your agency address the known discrepancy between the emissions estimated using the published Table 1 and/or UEF factors and the actual emissions from tub/shower facilities, which can be verified by means of EPA emissions testing methods 18 and 25A?

First, the Reinforced Composites MACT rule requires sources to comply with monitoring, recordkeeping and reporting requirements to ensure continuous compliance. The notification required in the rule informs the Agency or delegated authority when a source becomes subject to the requirements of the regulations. The required periodic reports are used by regulatory agencies to determine periods of excess emissions, identify problems at the facility verify operation/maintenance procedures and for compliance determinations. The regulatory agencies could also elect, as part of its compliance and enforcement program, to inspect a source to evaluate its compliance with the MACT subpart WWWW requirements and take any actions, as appropriate.

We assumed your second question is making reference to testing that the source would conduct to demonstrate compliance. The rule allows sources the option to utilize the equations in Table 1 of Subpart WWWW to calculate HAP emission factors instead of conducting actual testing. Further, the rule was developed assuming that most facilities would not perform testing to demonstrate compliance; they would use the equations in Table 1. In developing the emission limits for this rule we used the Table 1 emission factors to calculate the emission limits in the MACT floor. Therefore, regardless of any site specific emissions tests, as long as the facility meets the emission limits in the rule using the Table 1 emissions factors, they are complying with the Reinforced Plastics Composites Production MACT rule. In addition, sources may use the Table 1 emission factors for nonatomized resin application as long as the spray gun itself has been properly tested and shown to meet the nonatomized resin application factors with unfilled resins.

With regards to your third question, we do not yet have the industry data to do an evaluation of the current emission factors for MACT subpart WWWW. Once we receive the data, and our evaluation is complete, we will make a determination if changes to the rule are necessary. Sources subject to Subpart WWWW must comply with the Reinforced Plastics Composites Production MACT rule, as written, until such time as any revisions have been finalized in the Federal Register. The information you have provided, as well as the information provided by the American Composites Manufacturers Association will be evaluated and given consideration as we consider changes to MACT subpart WWWW.

You raise very good questions and we understand your concerns regarding a "level playing field" for you and your competitors. We would like to commend you for your proactive approach to ensure compliance with the rule. Your efforts also result in a reduction of hazardous air pollutants released from your facilities.

I hope we have adequately responded to your questions and concerns. If you have additional questions regarding this subject, please contact Mr. Gary Bertram of my staff at 913-551-7533 or bertram.gary@epa.gov.

Sincerely,



John B. Askew
Regional Administrator