

MEMORANDUM

SUBJECT: Clarification of the Definition of Organic Solvents in the Wood Furniture Manufacturing Operations NESHAP

FROM: Bruce Jordan, Director
Emission Standards Division, OAQPS (MD-13)

TO: See Addressees

Since the promulgation of the wood furniture manufacturing operations NESHAP (40 CFR Part 63, Subpart JJ) there has been some confusion on what organic solvents are regulated by this rule. This memorandum clarifies the definition of organic solvents to reflect the Agency's intent to only regulate hazardous air pollutant (HAP) organic solvents in the final rule. The change in the definition of organic solvent will be included in a Federal Register notice proposing amendments to the final rule scheduled to be published in April 1998.

The work practice standards in the wood furniture manufacturing operations NESHAP in section 63.803(d) include requirements for each owner or operator of a wood furniture manufacturing facility to develop an organic solvent accounting system. In addition, section 63.803(f) requires that an affected source use no more than 1.0 gallon of organic solvent per booth to prepare the surface of the booth prior to applying the booth coating. The rule defines organic solvent as "a volatile organic liquid that is 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 solvent evaporates during drying and does not become a part of the dried film." This definition caused State regulatory agencies and the wood furniture industry to question whether the rule means to regulate all organic solvents even though they may not be HAP (e.g., acetone). We did not intend to regulate non-HAP organic solvents such as acetone in the final rule for wood furniture manufacturing operations. The definition in the final rule should be limited to those organic solvents which are HAP. Therefore, the amendments to the final rule will add the term "hazardous air pollutant" to the definition of organic solvent (e.g., organic HAP solvent). Elsewhere in the text of the rule, the term "organic solvent" will be replaced with the term "organic HAP solvent."

The amendments to the final rule to incorporate this clarification are currently being drafted by Paul Almodóvar of my staff. If you have any questions, please feel free to contact Paul at (919) 541-0283.

Addressees:

Ms. Linda Murphy, Director, Office of Ecosystem Protection, Region I
Ms. Kathleen Callahan, Director, Division of Environmental Planning and Protection, Region II
Ms. Judith Katz, Acting Director, Air Protection Division, Region III
Mr. Winston Smith, Director, Air, Pesticides, and Toxics Management Division, Region IV
Mr. David Kee, Director, Air and Radiation Division, Region V
Mr. Allyn Davis, Director, Multimedia Planning and Permitting Division, Region VI
Mr. William Spratlin, Director, Air, RCRA, and Toxics Division, Region VII
Mr. Kerrigan Clough, Assistant Regional Administrator, Office of Pollution Prevention, State, and Tribal Programs, Region VIII
Mr. David Howekamp, Director, Air and Toxics Division, Region IX
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cc: Regional Air Toxic Coordinators
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