STATE OF TENNESSEE
DEPARTMENT OF ENVIRONMENT AND CONSERVATION
OFFICE OF ENVIRONMENTAL ASSISTANCE
SMALL BUSINESS ENVIRONMENTAL ASSISTANCE PROGRAM
8TH FLOOR, L&C ANNEX, 401 CHURCH STREET
NASHVILLE, TN 37243-1551

Immediate Attention Required

[**Not** for sources in Shelby, Davidson, Knox, and Hamilton Counties-check with your local air program]

New Federal Rule affecting Chemical Manufacturing at Area/Small sources
Affected sources must submit an Initial Notification by February 26, 2010

January, 2010

Dear Chemical Manufacturing facility owner:

On October 29, 2009, the U.S. Environmental Protection Agency published rules to reduce 15 different air toxics from chemical manufacturing operations at area/small sources. The rule is the National Emissions Standards for Hazardous Air Pollutants for Chemical Manufacturing Area Sources (40 CFR 63 Subpart VVVVVV. The rule can be found at http://www.epa.gov/ttn/atw/area/fr29oc09.pdf. Pertinent portions of the rule are enclosed for your information.

A sample Initial Notification is included in this packet
Affected sources must submit an Initial Notification no later than February 26, 2010
Existing sources have until October 29, 2012 to comply with the rule if affected.
The Initial Notification should provide certain information about your facility (as seen in the sample).

Rule compliance dates are:

- New Operations [constructed/reconstructed after October 6, 2008]
  - Must be in compliance with the new rules upon start-up
  - Must submit an Initial Notification and Notification of Compliance no later than 120 days after initial start-up

- Existing Operations [started on or before October 6, 2008]
  - Must submit an Initial Notification no later than **February 26, 2010**
  - Must be in compliance by October 29, 2012
  - Must submit a Notification of Compliance Status on or before October 29, 2012

Your facility is an area source* affected by the rule if it has any of the following categories:

- A Chemical Manufacturing Process Unit (CMPU) that uses as feedstock, generates as byproducts, or produces as products any of the following chemicals:
  - **Organic compounds:** 1,3 butadiene; 1,3 dichloropropene; Acetaldehyde; Chloroform; Ethylene dichloride; Hexachlorobenzene; Methylene chloride; Quinoline Hydrazine
  - **Metal Compounds:** Arsenic compounds; Cadmium compounds; Chromium compounds; Lead compounds; Manganese compounds; Nickel compounds

- One or more of the above chemicals are present in feedstocks, are generated, or produced by the CMPU and are present in process fluid at concentrations greater than 0.1 percent for carcinogens and greater than 1.0 percent for noncarcinogens.

** An area source is a source that does not have the potential to emit more than 10 tons per year of any single hazardous air pollutant (HAP) or more than 25 tons per year of a combination of two or more HAPs or more than 100 tons per year of a criteria pollutant.*

Exemptions exist for the above. If you are regulated by any of the following Federal regulations or listed activities, you are not subject to the Chemical Manufacturing Area Source rule.

- Subject to the requirements of the following Federal rules:
  - Manufacture of Paint and Allied Products (subpart CCCCCCC)
  - Mercury Emissions from Mercury Cell Chlor-Alkali Plants (subpart IIIII)
  - Polyvinyl Chloride and Copolymers Production (subpart DDDDDD)
  - Acrylic and Modacrylic Fibers (subpart LLLLLL)
  - Carbon Black Production (subpart MMMMMM)
  - Chromium Compounds (subpart NNNNNN)
- Research and development process unit
- Manufacture of radioactive elements or isotopes, radium chloride, radium luminous compounds, strontium, or uranium
- The manufacture of photographic film, paper, plate where the material is coated with or contains chemicals **IS EXEMPT**. The manufacture of photographic chemicals is **NOT EXEMPT**.
- Fabricating operations (such as spinning or compressing a solid polymer into its end use); compounding operations; or resolidification of a solid polymer.
- Quality assurance/quality control laboratories
- Ancillary activities such as boilers, incinerators, chillers, and other equipment and activities not directly involved (operate within closed system) with the manufacturing process.
- Metal HAP in structures or existing as articles.

There is help available with understanding this new air pollution regulation. The Tennessee Small Business Environmental Assistance Program (SBEAP) offers free, confidential technical assistance with environmental questions. Donovan Grimwood is the SBEAP contact for Chemical Manufacturing. He can be reached toll free at **1-800-734-3619** (615-532-4966 in Nashville) or through email at BGSBEAP@tn.gov. Also, feel free to visit the Program's web page at http://www.tn.gov/environment/section/sbeap-small-business-environmental-assistance.

Sincerely,

Donovan Grimwood

Donovan Grimwood, Environmental Specialist
Small Business Environmental Assistance Program

Enclosures

Sample Initial Notification for
Tennessee Chemical Manufacturing Area Sources
(Not located in Davidson, Hamilton, Knox, Shelby Counties-check with local air program)

SECTION I: GENERAL INFORMATION

☐ Yes, I am **an area source*** subject to 40 CFR Part 63 subpart VVVVVV, National Emission Standards for Hazardous Air Pollutants Chemical Manufacturing Area Sources

Compliance Date: ☐ Existing source (constructed prior to October 6, 2008
☐ New source: _____ (Date of startup commenced construction or reconstruction on or after October 6, 2008

☐ No, I am NOT an area source subject to 40 CFR Part 63 subpart VVVVVV. Please provide a reason below:
☐ My facility is subject to another rule (List rule): _____
☐ Additional reason:_____

* An area source is a source that does not have the potential to emit more than 10 tons per year of any single hazardous air pollutant (HAP) or more than 25 tons per year of a combination of two or more HAPs or more than 100 tons per year of a criteria pollutant.

*If you checked the "**No**" box above, please complete **Section 1** and then proceed directly to **Section 3** of this form (**skip Section 2**).*

Company name

_____

Facility (physical location) address:

_____

Owner or operator name/title:

_____

Owner/operator address:

_____

Owner/operator phone number:_____Owner/operator email address _____

SECTION 2: IDENTIFICATION OF AFFECTED OPERATIONS[A]

- **Are any of the listed HAPs used as feedstock, generated as a byproduct, or produced as a product?**

1, 3 Butadiene	☐	Hexachlorobenzene	☐	Cadmium compounds	☐
1, 3 Dichloropropene	☐	Methylene chloride	☐	Chromium compounds	☐
Acetaldehyde	☐	Quinoline	☐	Lead compounds	☐
Chloroform	☐	Hydrazine	☐	Manganese compounds	☐
Ethylene dichloride	☐	Arsenic compounds	☐	Nickel compounds	☐

A: The listed HAPs are present in feedstocks, generated, or produced in the CMPU and are present in process fluid at concentrations greater than 0.1 percent for carcinogens and greater than 1.0 percent for noncarcinogens.

- **Description of Facility: Types of Operations at facility (check all that apply)**
  - Agricultural Chemicals and Pesticide Manufacturing ☐
  - Cyclic Crude and Intermediate Production ☐
  - Industrial Inorganic Chemical Manufacturing ☐
  - Industrial Organic Chemical Manufacturing ☐
  - Inorganic Pigments Manufacturing ☐
  - Miscellaneous Organic Chemical Manufacturing ☐
  - Pharmaceutical Production ☐
  - Plastic Materials and Resins Manufacturing ☐
  - Synthetic Rubber Manufacturing ☐

- **Chemical Manufacturing Process Units (List different units and controls[B])**
  1. _____ Control: _____
  2. _____ Control: _____
  3. _____ Control: _____
  4. _____ Control: _____
  5. _____ Control: _____

B: Controls include vapor balance, submerged fill/bottom loading, vent to control device, or route to a fuel gas system.

- **Heat Exchange Systems**
  1. _____ Coolant flow rate (gal/min): _____
  2. _____ Coolant flow rate (gal/min): _____
  3. _____ Coolant flow rate (gal/min): _____
  4. _____ Coolant flow rate (gal/min): _____
  5. _____ Coolant flow rate (gal/min): _____
- **Process vents**
  - Number of Organic Batch Process Vents: _____
  - Number of Organic Continuous Process Vents: _____
  - Number of Combined Organic Batch and Continuous Process Vents: _____
  - Number of Metal HAP Process Vents: _____
  - Number of Halogenated Streams: _____
    - Number controlled by a combustion device? _____
- **Storage tanks**
  1. _____ Capacity: _____
  2. _____ Capacity: _____
  3. _____ Capacity: _____
  4. _____ Capacity: _____
  5. _____ Capacity: _____
- **Wastewater streams**

☐ a. No wastewater stream

☐ b. Wastewater stream contains partially soluble HAP at a concentration of less than 10,000 parts per million by weight (ppmw)

☐ c. Wastewater stream contains partially soluble HAP at a concentration of equal to or greater than 10,000 ppmw

☐ 1. Contains a separate organic and water phase.

SECTION 3: CERTIFICATION

I hereby certify that the information presented herein is correct to the best of my knowledge.

_____ _____

(Signature) (Date)

_____ (____)_____

(Print Name/title) (Telephone No.)

If you have questions about these environmental regulations affecting your business, contact Donovan Grimwood with the Tennessee Small Business Environmental Assistance Program at 1-800-734-3619 or at BGSBEAP@tn.gov.us.

Submit the required information no later than February 26, 2010 to BOTH of the following addresses:

Tennessee Department of Environment and Conservation Air Pollution Control ATTN: Initial Notification Chemical Manufacturing William R. Snodgrass Tennessee Tower 312 Rosa L. Parks Avenue, 15th Floor Nashville, Tennessee 37243	U.S. Environmental Protection Agency (EPA), Region IV Director of Air, Pesticides and Toxics Management Div. ATTN: Initial Notification Chemical Manufacturing Atlanta Federal Center, 61 Forsyth Street Atlanta, Georgia 30303-3104