



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C. 20460

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ASSISTANT ADMINISTRATOR
FOR ENFORCEMENT AND
COMPLIANCE ASSURANCE

Mr. Timothy Hunt
Senior Director, Air Quality Program
American Forest & Paper Association
1111 Nineteenth Street, N.W.
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Dear Mr. Hunt

This letter is in response to Katherine J. Crane's April 17, 2003 and May 12, 2003 letters to Paul Almodovar of the United States Environmental Protection Agency's (EPA) Office of Air Quality Planning and Standards (OAQPS) concerning the applicability of the National Emission Standards for Hazardous Air Pollutants (NESHAP) for the Paper and Other Web Coating (POWC) category at 40 CFR Part 63, Subpart JJJJ to size presses and on-machine coaters used by the papermaking industry.

Based on our review of the background information documents as well as information provided by the American Forest & Paper Association (AF&PA), we agree that size presses or size press alternatives (SP/SPA) and on-machine coaters that apply sizing or water-based clays as a component of the papermaking system are not subject to the requirements of 40 CFR Part 63, Subpart JJJJ.

In its April 17, 2003 letter to EPA, AF&PA contends that paper machine size press or size press alternative (SP/SPA) operations are associated with paper substrate formation and that EPA, therefore, intended to exclude them from 40 CFR Part 63, Subpart JJJJ, although they were not specifically addressed in the rule. Size presses apply sizing, primarily starch, to the paper substrate to give it binding or strengthening characteristics and moisture barrier properties.

EPA addressed paper substrate formation in the background information document (BID) for 40 CFR Part 63, Subpart JJJJ, in response to AF&PA's November 13, 2000 comments on the proposed rule (Docket A-99-09, item number IV-D-20) as follows:

Comment: ... [AF&PA] stated that it should be made explicit that the head box on a papermaking machine and other equipment in line prior to the actual consolidation and formation of a continuous web of paper are not subject to the proposed rule.

Response: As discussed in the previous comment response, we agree that the affected source should have been more explicitly defined with respect to substrate formation or film formation . . . The definition for coating material states that materials used to form a substrate are not considered coating materials, and therefore, are not part of the affected source.
(BID page 2-6).

Based on the BID discussion, we conclude that materials applied by the SP/SPA as a component of the papermaking system would be considered materials used to form a substrate and are not subject to the requirements of 40 CFR Part 63, Subpart JJJJ.

In its May 12, 2003 letter to EPA, the AF&PA further contends that on-machine coaters should not be subject to 40 CFR Part 63, Subpart JJJJ. On-machine coaters apply primarily water-based clays to the paper substrate with smaller amounts of titanium dioxide, synthetic pigment, starch, and latex.

As noted by AF&PA, the NESHAP for the Pulp and Paper Industry at 40 CFR Part 63, Subpart S provides the following definition applicable to the clean condensate alternative at Section 63.447(a)(3). An identical definition applicable to all papermaking activities is provided in the Pulp, Paper and Paperboard Industry - Background Information for Promulgated Air Standards document (EPA-453/R-93-050b, page 14-28):

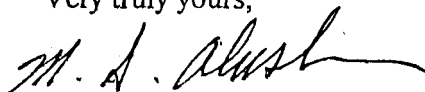
Papermaking system means all equipment used to convert pulp into paper, paperboard, or market pulp, including the stock storage and preparation systems, the paper or paperboard machines, and the paper machine white water system, broke recovery systems, and the systems involved in calendering, drying, on-machine coating, slitting, winding, and cutting. (Emphasis added.)

The definition for papermaking system indicates that on-machine coating equipment would be used to convert pulp into paper, paperboard, or market pulp. Based on this definition and the BID discussion for Subpart JJJJ, which indicates that coatings used in substrate formation are not subject to the rule, we conclude that papermaking system on-machine coaters apply materials used to form a substrate and are not subject to the requirements of 40 CFR Part 63, Subpart JJJJ.

Determinations applicable to the papermaking system no longer apply once the paper substrate is removed from the in-line components of the papermaking system.

If you have any further questions, please feel free to contact Leonard Lazarus at (202) 564-6369.

Very truly yours,

A handwritten signature in black ink, appearing to read "M. S. Alushin", with a long horizontal flourish extending to the right.

Michael S. Alushin, Director
Compliance Assessment and Media Programs Division
Office of Compliance