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10-3-11ENVIRONMENTAL PROTECTION  
AGENCY

40 CFR Part 60

[AD-FRL-2097-2]

Standards of Performance for New  
Stationary Sources: Beverage Can  
Surface Coating IndustryAGENCY: Environmental Protection  
Agency (EPA).

ACTION: Final rule.

**SUMMARY:** Standards of performance for the beverage can surface coating industry were proposed in the Federal Register on November 28, 1980 (45 FR 78980). This action promulgates standards of performance for the beverage can surface coating industry. These standards implement Section 111 of the Clean Air Act and are based on the Administrator's determination that beverage can surface coating operations cause, or contribute significantly to, air pollution which may reasonably be anticipated to endanger public health or welfare. The intended effect of these standards is to require all new, modified, and reconstructed beverage can surface coating operations to control emissions to levels achievable through the best demonstrated system of continuous emission reduction, considering costs, nonair quality health, and environmental and energy impacts.

**EFFECTIVE DATE:** August 25, 1983.

Under Section 307(b)(1) of the Clean Air Act, judicial review of this new source performance standard is available only by the filing of a petition for review in the U.S. Court of Appeals for the District of Columbia Circuit within 60 days of today's publication of this rule. Under Section 307(b)(2) of the Clean Air Act, the requirements that are the subject of today's notice may not be challenged later in civil or criminal proceedings brought by EPA to enforce these requirements.

**ADDRESSES:** Background Information Document. The Background Information Document (BID) for the promulgated standards may be obtained from the U.S. EPA Library (MD-35), Research Triangle Park, North Carolina 27711, telephone number (919) 541-2777. Please refer to "Beverage Can Surface Coating Industry—Background Information for Promulgated Standards" EPA-450/3-80-036b. The BID contains (1) a summary of all the public comments made on the proposed standards and the Administrator's response to the comments, (2) a summary of the changes made to the standards since proposal, and (3) the final Environmental Impact

Statement, which summarizes the impacts of the standards.

**Docket:** A docket, number A-80-4, containing information considered by EPA in development of the promulgated standards is available for public inspection between 8:00 a.m. and 4:00 p.m., Monday through Friday, at EPA's Central Docket Section (A-130), West Tower Lobby, Gallery 1, 401 M Street SW., Washington, D.C. 20460. A reasonable fee may be charged for copying.

**FOR FURTHER INFORMATION CONTACT:** Mr. Fred Porter, Standards Development Branch, Emission Standards and Engineering Division (MD-13), U.S. Environmental Protection Agency, Research Triangle Park, North Carolina 27711, telephone number (919) 541-5575.

**SUPPLEMENTARY INFORMATION:****The Standards**

Standards of performance for new sources established under Section 111 of the Clean Air Act reflect:

\* \* \* Application of the best technological system of continuous emission reduction which (taking into consideration the cost of achieving such emission reduction, [and] any nonair quality health and environmental impact and energy requirements) the Administrator determines has been adequately demonstrated [Section 111(a)(1)].

For convenience, this criterion will be referred to as "best demonstrated technology" or "BDT."

The promulgated standards apply to all new, modified, and reconstructed two-piece beverage can surface coating operations for which construction, modification, or reconstruction commenced after November 28, 1980. The standards define a two-piece beverage can as any two-piece steel or aluminum container in which soft drinks or beer (including malt liquors) are packaged. Containers in which fruit or vegetable juices are packaged are excluded. Existing facilities would not be subject to the standards unless they undergo a modification or reconstruction as defined in 40 CFR 60.14 or 60.15. Emissions of volatile organic compounds (VOC) from affected facilities at two-piece can plants are limited as follows: 0.29 kg VOC/litre of coating solids from each exterior base coating operation except clear base coating, 0.46 kg VOC/litre of coating solids from each overvarnish coating operation and each clear base coating operation, and 0.29 kg VOC/litre of coating solids from each inside spray coating operation. Each affected facility consists of a coating application station, a flashoff area, and a curing oven.

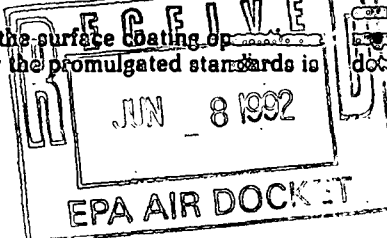
BDT for the surface coating operations covered by the promulgated standards is

the use of best available waterborne coatings. However, the standards would permit the use of any system of continuous emission reduction that allows the facility to comply with these emission limits. For example, the standards could also be achieved through the use of solvent-borne coatings in combination with an emission control system. The compliance procedures outlined in the promulgated regulations are designed to show equivalence between the use of waterborne coatings and the use of solvent-borne coatings and an emission control system.

The owner or operator is required to conduct a performance test each calendar month for each affected facility and record the results. The calculation of the volume-weighted average mass of VOC per volume of coating solids during each calendar month constitutes a performance test. The owner or operator is required to identify and report, semiannually, each instance that the calculated volume-averaged mass of VOC per volume of coating exceeds the emission limitations. When Method 24 data are used to determine VOC content of waterborne coatings for compliance determinations, precision factors shall be used as described in Section 4.4 of Method 24.

Where compliance is achieved through the use of waterborne coatings, compliance with the standards is determined by comparing the calculated volume-weighted average mass of VOC per volume of coating solids with the applicable emission limitation in the promulgated standards. Volume and VOC content of each coating used at the affected facility for the calendar month are required for this determination. If each coating used at an affected facility during a calendar month has a VOC content equal to or less than the emission limitations prescribed in the standards, and no VOC solvents are added during distribution and application of the coatings, the affected facility is in compliance and calculation of the volume-weighted average VOC content is not required.

Where compliance is achieved through the use of solvent-borne coatings and an emission control system, the volume-weighted average VOC content is calculated as for waterborne coatings. The calculated VOC content is reduced by the most recently determined overall reduction efficiency of the capture and emission control system. The promulgated regulations prescribe procedures for determining overall reduction efficiency.



The standard requires that owners or operators of affected facilities submit three types of reports, those required under the General Provisions of 40 CFR Part 60, initial performance test reports, and semiannual reports of instances in which the VOC content of coatings used exceeds the allowable level established in the standard and instances in which incinerator operating temperatures vary significantly from those used to establish emission control system efficiencies where compliance is achieved through the use of incineration.

This regulation will be reviewed no later than four years from the date of promulgation as required by the Clean Air Act. This review will include an assessment of such factors as the need for integration with other programs, the existence of alternative methods, enforceability, improvements in emission control technology, and reporting requirements. The reporting requirements in this regulation will be reviewed as required under EPA's sunset policy for reporting requirements in regulations.

Section 317 of the Clean Air Act requires the Administrator to prepare an economic impact assessment for any new source standard of performance promulgated under Section 111(b) of the Act. An economic impact assessment was prepared for this regulation and for other regulatory alternatives. All aspects of the assessment were considered in the formulation of the standards to insure that cost was carefully considered in determining BDT. The economic impact assessment is included in the BID for the proposed standards.

Under Executive Order 12291, EPA must judge whether a regulation is "major" and therefore subject to the requirement of a Regulatory Impact Analysis. This regulation is not major because it would result in none of the adverse economic effects set forth in Section 1 of the Order as grounds for finding a regulation to be major. There will be no increase in industrywide annualized costs as a result of this regulation. No significant increase in price is associated with the proposed standards; thus there would be no "major increase in costs or prices" specified as the second criterion in the Order. The economic analysis of the proposed standards' effects on the industry did not indicate any significant adverse effects on competition, investment, productivity, employment, innovation, or the ability of U.S. firms to compete with foreign firms (the third criterion in the Order).

This regulation was submitted to the Office of Management and Budget

(OMB) for review as required by Executive Order 12291. Any comments from OMB to EPA and any EPA response to those comments are available for public inspection in the docket referenced in the address section of this preamble.

Information collection requirements contained in this regulation (Sections 60.493, 60.494, and 60.495) have been approved by OMB under the provision of the Paperwork Reduction Act of 1980, 44 U.S.C. 3501 *et seq.* and have been assigned OMB control number 2080-0001.

#### List of Subjects in 40 CFR Part 60

Air pollution control, Aluminum, Ammonium sulfate plants, Asphalt, Cement industry, Coal copper, Electric power plants, Glass and glass products, Grains, Intergovernmental relations, Iron, Lead, Metals, Metallic minerals, Motor vehicles, Nitric acid plants, Paper and paper products industry, Petroleum, Phosphate, Sewage disposal, Steel, Sulfuric acid plants, Waste treatment and disposal, Zinc, Tires, Incorporation by reference, Can surface coating.

Dated August 18, 1983.  
William D. Ruckelshaus,  
Administrator.

#### PART 60—[AMENDED]

40 CFR Part 60 is amended by adding Subpart WW as follows:

Subpart WW—Standards of Performance for the Beverage Can Surface Coating Industry

- Sec.
- 60.490 Applicability and designation of affected facility.
- 60.491 Definitions.
- 60.492 Standards for volatile organic compounds.
- 60.493 Performance test and compliance provisions.
- 60.494 Monitoring of emissions and operations.
- 60.495 Reporting and recordkeeping requirements.
- 60.496 Test methods and procedures.

Authority: Secs. 111 and 301(a) of the Clean Air Act, as amended (42 U.S.C. 7411 and 7601(a)), and additional authority, as noted below.

#### § 60.490 Applicability and designation of affected facility.

(a) The provisions of this subpart apply to the following affected facilities in beverage can surface coating lines: each exterior base coat operation, each overvarnish coating operation, and each inside spray coating operation.

(b) The provisions of this subpart apply to each affected facility which is identified in paragraph (a) of this section and commences construction,

modification, or reconstruction after November 28, 1980.

#### § 60.491 Definitions.

(a) All terms which are used in this subpart and are not defined below are given the same meaning as in the Act and Subpart A of this part.

(1) *Beverage can* means any two-piece steel or aluminum container in which soft drinks or beer, including malt liquor, are packaged. The definition does not include containers in which fruit or vegetable juices are packaged.

(2) *Exterior base coating operation* means the system on each beverage can surface coating line used to apply a coating to the exterior of a two-piece beverage can body. The exterior base coat provides corrosion resistance and a background for lithography or printing operations. The exterior base coat operation consists of the coating application station, flashoff area, and curing oven. The exterior base coat may be pigmented or clear (unpigmented).

(3) *Inside spray coating operation* means the system on each beverage can surface coating line used to apply a coating to the interior of a two-piece beverage can body. This coating provides a protective film between the contents of the beverage can and the metal can body. The inside spray coating operation consists of the coating application station, flashoff area, and curing oven. Multiple applications of an inside spray coating are considered to be a single coating operation.

(4) *Overvarnish coating operation* means the system on each beverage can surface coating line used to apply a coating over ink which reduces friction for automated beverage can filling equipment, provides gloss, and protects the finished beverage can body from abrasion and corrosion. The overvarnish coating is applied to two-piece beverage can bodies. The overvarnish coating operation consists of the coating application station, flashoff area, and curing oven.

(5) *Two-piece can* means any beverage can that consists of a body manufactured from a single piece of steel or aluminum and a top. Coatings for a two-piece can are usually applied after fabrication of the can body.

(6) *VOC content* means all volatile organic compounds (VOC) that are in a coating. VOC content is expressed in terms of kilograms of VOC per litre of coating solids.

(b) Notations used under § 60.493 of this subpart are defined below:

$C_o$  = the VOC concentration in each gas stream leaving the control device and