

Rule Summary:
Final Area Source NESHAP for Flexible Polyurethane Foam Fabrication and Production

Rule: **40 CFR Part 63, Subpart OOOOOO (6O)**
Docket: **EPA-HQ-AR-2006-0897**
FR Date: **July 16, 2007, pp. 38864 – 38917**

Submission of Comments:

The final rule has been published in the Federal Register; comments are no longer being accepted.

EPA Contact:

Sharon Nizich, Office of Air Quality Planning and Standards
Phone: 919-541-2825
Email: nizich.sharon@epa.gov

Applicability

The NESHAP applies to any area source that manufactures foam made from polyurethane polymer or that cuts or bonds flexible polyurethane foam pieces together or to other substrates. A source is classified as an area source if it is not a major source (i.e., has the potential to emit individual HAPs in amounts equal to or greater than 10 tons per year or the potential to emit total aggregate HAPs in amounts equal to or greater than 25 tons per year). The primary NAICS code for the affected industries is 326150.

Existing sources are defined as those that commenced construction or reconstruction on or before April 4, 2007. Likewise, new sources are defined as those that commenced construction or reconstruction after April 4, 2007.

Target HAP: Methylene Chloride.

Standards

The standards and requirements of the rule are the same for new and existing sources; only the compliance dates differ.

1. Slabstock Polyurethane Foam Production:
There are two compliance options for sources that manufacture slabstock: they may comply with the provisions of 40 CFR 63.1293(a) or (b) using an equation provided by Subpart OOOOOO, OR alternatively slabstock producers can use no material containing methylene chloride.
2. Molded Foam Producers:
Producers of molded polyurethane foam products may not use any materials containing methylene chloride as cleaners to flush mixhead or to clean equipment, and they may not use any mold release agents that contain methylene chloride.
3. Rebond Foam Producers:
Sources that manufacture rebond foam may not use any materials containing methylene chloride to

clean equipment, and they may not use any mold release agents containing methylene chloride.

4. Flexible Polyurethane Foam Production:

Producers of flexible polyurethane foam production may not use any adhesives containing methylene chloride.

Compliance Dates:

Existing sources that produce slabstock flexible foam products must comply with the rule by July 16, 2008. The compliance date for all other existing sources is July 16, 2007. New sources must comply with the rule by July 16, 2007 or upon startup, whichever is later.

Reporting:

1. Initial notifications of applicability must be submitted to the implementing agency before the following deadlines:
 - For sources in operation as July 16, 2007 (date of final rule publication in the Federal Register): within 120 days of July 16, 2007, which is November 13, 2007.
 - For new sources that commence operation after July 16, 2007: an advance notification of intent to construct a new source must be submitted prior to commencement of operations, and a second notice of the actual date on which operations commenced must be sent within 15 days of the startup date.
2. Initial compliance reports must be on file by each source's compliance date. Sections of the rule at 40 CFR 63.11417(c)(1), (2), and (3) specify information and statements that must be contained in the compliance certification.

Records:

Records demonstrating compliance must be maintained for five years and must be kept on site for at least two years.