



*Commonwealth of Virginia*

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**MEMORANDUM**

**TO:** Regional Directors  
Regional Air Permit Managers  
Regional Air Compliance Managers  
Central Office Air Managers

**CC:** Jeffery A. Steers, Director of Central Operations

**FROM:** Michael G. Dowd, Director, Air and Renewable Energy Division *MGD*

**SUBJECT:** APG-200A5- Title V Air Permits Guidance Manual, Chapter 5 – Statement of Basis

**DATE:** June 5, 2019

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**Purpose:**

Chapter 5 discusses the purpose and scope of the Statement of Basis (SOB), a document that accompanies the Title V permit. This document is a requirement of the federal Clean Air Act and Article 1 of the Commonwealth of Virginia State Air Pollution Control Board Regulations for the Control and Abatement of Air Pollution, 9VAC5 Chapter 80.

Each chapter and appendices of the existing Title V Air Permits Guidance Manual will be reviewed and updated as appropriate. Chapter 5 is the second update to be affected by the requirements under § 2.2-4002.1 of the Administrative Process Act (APA). The Statement of Basis boilerplate document is also included in this review. The following updates have been made to the existing chapter:

**Chapter 5:**

- 1) Reformatted with ADA styles.
- 2) Revised section headings.
- 3) Provided more discussion of the purpose and scope of SOB.

- 4) Reorganized sections of SOB content to be in sync with the SOB boilerplate document.
- 5) Expanded on the handling of confidential information.
- 6) Reduced discussion of public participation as there is a chapter devoted to this topic.
- 7) Added section to encourage permit writer to consider certain points when finalizing SOB.

**Electronic Copy:**

Once effective, an electronic copy of this guidance will be available on:

- The Virginia Regulatory Town Hall under the Department of Environmental Quality (<http://www.townhall.virginia.gov/L/gdocs.cfm?agencynumber=440>);

**Contact Information:**

Please contact Amber Foster at 804-614-7974 or [amber.foster@deq.virginia.gov](mailto:amber.foster@deq.virginia.gov) with any questions regarding the application of this guidance.

**Certification:**

As required by Subsection B of § 2.2-4002.1 of the APA, the agency certifies that this guidance document conforms to the definition of a guidance document in § 2.2-4101 of the Code of Virginia.

**Disclaimer:**

**This document is provided as guidance and, as such, sets forth standard operating procedures for the agency. However, it does not mandate any particular method nor does it prohibit any alternative method. If alternative proposals are made, such proposals should be reviewed and accepted or denied based on their technical adequacy and compliance with appropriate laws and regulations.**

## **Chapter 5. Statement of Basis**

### **Purpose**

The statement of basis (SOB) provides a roadmap to the draft and final Title V (TV) permit document. It helps the source, EPA, and the public understand the permit terms and conditions and aids in an efficient and effective review of the permit. The SOB provides explanations for why conditions are included in the TV permit, applicability or non-applicability determinations, monitoring and reporting requirements, and other relevant information specific to the source and current permit action.

Per 9VAC5-80-150 D, the purpose of a SOB is for the board (permit writer) to provide a statement that sets forth the legal and factual basis for the draft permit conditions. This includes references to the applicable statutory or regulatory provisions. The SOB is required and is submitted to the EPA with the draft Title V permit. It is considered part of the permit record therefore, DEQ sends the SOB to all who receive a copy of the draft and final TV permit.

Although the SOB is not a legally enforceable document, it is an important part of the permit record. The permit may not reference, or incorporate by reference, the SOB. If the source has referenced material in the application, such as a stack test report, the permit should reference that report; the stack test report or other material should be attached to the SOB if it is relevant.

### **Content and Scope of SOB**

The permit writer should consider drafting the SOB prior to or simultaneous to drafting the TV permit. Depending on the technical complexity of the permit, the history of the facility, and any provisions being added or removed, keeping track of the decisions made in the permit writing process may prove difficult and processing the two at the same time should assist the permit writer in the process.

### **Underlying Permit Conditions and Other Applicable Requirements**

A source may have multiple underlying new source review (NSR) and federally-enforceable state operating permits (SOP) that address multiple projects and modifications at a given source. All active underlying permit approvals must be reviewed and considered for inclusion in the TV permit. The SOB provides a description of the origin or basis of permit conditions or exemptions; if any of the language from the underlying permit(s) is changed in the current permit action, the SOB should discuss the reason for the deviation.

In some cases, a Title V source may not have any underlying permits but still be subject to TV permitting because it’s an “existing,” or grandfathered source, or it’s subject to a standard, limitation, or other requirement under Section 111 or 112 of the federal Clean Air Act (CAA). In this case, only the applicable requirements from federally enforceable air regulations such as Virginia’s Chapter 40 standards, a New Source Performance Standard (NSPS), National

Emission Standards for Hazardous Air Pollutants (NESHAPs), or Maximum Achievable Control Technology (MACT) standard would constitute the conditions of the permit.

The DEQ SOB boilerplate document is available on DEQ's internal website and, until the Title V manual is completely revised, available upon request. Requests should be directed to the current Title V Coordinator at the DEQ Central Office. This document leads the permit writer through DEQ's interpretation of how the SOB should be presented. In addition to the cover / signature page, it contains the following sections:

- Facility Information and Description– This is basic information including the permittee name and mailing address as well as the facility name, street address, County-Plant Identification Number, NAICS, and a description of the process being permitted.
- Compliance Status – Sample language is provided in the boilerplate to describe the current compliance status. The permit writer should review applicable compliance reports in CEDS (look under the “Inspections” and “Enforcement” tabs in CEDS when on the main page for the facility) for any issues and discuss the site with the compliance inspector. A “Compliance Plan” section will be included in the SOB if the source is out of compliance at the time of the public notice for the draft permit; not every TV permit / SOB contains a compliance plan.
- Emission Units and Control Device Identification – This is the same information provided in the TV permit regarding all emission units permitted under TV. It is preferable to reference the Emissions Unit table in the Title V permit but it is acceptable to copy and paste the table into the SOB.
- Emissions Inventory – The boilerplate provides two tables summarizing the actual annual emission of criteria pollutants and greenhouse gas emissions; and the actual annual emission of HAPs. Data for these tables can be located in CEDS under the “Emissions” tab when on the main page for the facility. If for some reason the current year's data have not been finalized, use the previous year's data and make note of that in the SOB. It is also acceptable to include a statement that says “the [current year] emissions data have been reviewed and approved by DEQ. The source has paid all applicable Title V fees.”
- Fuel Burning Equipment / Process Equipment Requirements – This section header should follow the general outline of the permit. Some permits have only one major section, others having multiple sections. The following subsections should be repeated for each major section:
  - Limitations – This section is not meant to repeat verbatim all the permit limitations from underlying permits; the permit writer should summarize the limitations (e.g., emission limits, control devices, fuel throughputs, etc.); discussing emission units with the same limits as a group is acceptable. Note facility-wide pollutant limits in this section.
  - Monitoring – Include a brief description of monitoring requirements from underlying permits, federally applicable requirements (e.g., from NSPS, NESHAPs, and/or MACTs) and/or additional monitoring as required by TV (e.g., periodic monitoring not specified in underlying permits and/or Compliance Assurance Monitoring (CAM) requirements – see [Chapter 9](#) of the Title V Manual for more information on CAM);

- Recordkeeping – Include a brief description of the requirements for maintaining records of all monitoring and testing (as applicable) required by the permit.
- Testing – Include a brief description of testing requirements (e.g., for initial and/or continuing compliance) from underlying permits and other federally applicable requirements (e.g., from NSPS, NESHAPs, and/or MACTs); there may be scenarios where continuous compliance testing is not required in a permit because the source is able to demonstrate compliance through various monitoring activities.
- Reporting – Include a brief description of all reporting requirements from underlying permits and other federally applicable requirements (e.g., from NSPS, NESHAPs, and/or MACTs).
- Streamlined Requirements – Identify in the SOB where conditions from underlying permits and other federally applicable requirements have been streamlined. [Streamlining is when there are overlapping air regulations that affect an emission unit or process and only the most stringent is stated in the permit.] The source, EPA, DEQ and the public know that the other limit(s) are still applicable (because it's stated as such in the SOB and the streamlined permit condition(s) include all applicable regulatory citations), but for the sake of simplifying the permit, only the most stringent limit is written in the permit document.
- Insignificant Emission Units – like the emission unit table in the beginning of the permit, it is preferable to reference the insignificant emission units in the Title V permit but it is acceptable to copy and paste the table into the SOB.
- Compliance Plan – This is only included in the TV permit if the source is not in compliance with an applicable requirement at the time of TV permit issuance; a brief narrative description of the Compliance Plan (how and when the source will achieve compliance) should be included in the SOB.
- Inapplicable requirements – This section should contain a brief discussion on why a certain requirement is NOT applicable to a source. This is not a review of all state and federal regulations, NSPS, MACTs, or NESHAPs that exist, but instead focus on those requirements that might be questionable. This should include inapplicable requirements identified by the source in the permit application and confirmed by the permit writer. By specifying an inapplicable requirement(s) in the TV permit, the source is provided with permit shield (see 9VAC5-80-140).
- General Conditions – this includes requirements applicable to all TV permitted sources. Follow the SOB boilerplate for additional guidance.
- State-Only Enforceable Requirements – There are a few Virginia-only requirements that have not been submitted to or approved by EPA in the SIP, making them NOT federally enforceable. Example include odorous emissions and toxic pollutant regulations. These requirements are typically omitted from TV permits but can be included at the request of the source.
- Future Applicable Requirements – A future applicable requirement (e.g., MACT standard newly promulgated under Section 112 of the CAA with a compliance date 3 years in the future) may be deemed the most stringent if compliance with it would assure compliance with less stringent but currently applicable requirements. [DEQ's AGP-202, Guidance on](#)

[Virginia's Approach to EPA's Title V White Papers \(Memo Number 97-1004\)](#) provides guidance on how to incorporate these requirements into a TV permit.

- Confidential Information – The source has the option to claim confidentiality of information in the TV application and/or attachments. A discussion of confidential information can be found on page iv of [Form 805](#). Include a brief sentence regarding whether or not the source has claimed confidentiality. Confidential information is not released to the public in the permit or during the public participation process.
- Public Participation – Fill in the blanks on the boilerplate of this section to indicate the dates of the 30-day public notice period and the date and advertising newspaper for the notice in the local newspaper. The 30-day public notice is followed by a 45-day EPA review period.

### **Considerations When Finalizing the SOB**

When finalizing the SOB, the permit writer should consider whether the documentation provides the necessary explanatory information for the current permit action. Things to consider (not intended to be all-inclusive):

- 1) Does the information make the permit more defensible?
- 2) Are changes or deviations from underlying permit conditions explained?
- 3) Does the information improve the efficiency of the permit review process and reduce the likelihood of receiving an adverse comment or an appeal? and/or
- 4) Will the SOB be useful for future permit revisions and permit renewals?

A clear permit record better enables a new or different permit writer's ability to pick up where others left off with as seamless a transition as possible.



## FACILITY INFORMATION

### Permittee

[Permittee Name]  
[Mailing Address]

### Facility

[Facility Name]  
[Facility Street Address]

County-Plant Identification Number: [51- County Code-Plant Number]

## FACILITY DESCRIPTION

**NAICS Code:** [XXXXXX]

The facility is a Title V major source of [name the pollutants]. This source is located in an [attainment or nonattainment] area for pollutants, and [is / is not] a PSD [major or minor] source. The facility is currently permitted under a [minor NSR Permit, State Operating Permit, and/or PSD Permit] issued on [date], and amended on [date, if applicable].

## COMPLIANCE STATUS

A full compliance evaluation of this facility, including a site visit, was most recently conducted on [Date]. All reports and other data required by permit conditions or regulations, which are submitted to DEQ, have been evaluated for compliance. Based on these compliance evaluations, the facility [has / has not] been found to be in violation of any state or federal applicable requirements at this time.]

## OR

[the facility was issued a (Warning Letter AND OR Notice of Violation) on (date) alleging noncompliance with (identify underlying permit condition or applicable requirement).] OR [the facility and DEQ have entered into a Consent Order to resolve a Notice of Violation on (date) alleging noncompliance with (identify underlying permit condition or applicable requirement).]

**Commented [AKF2]:** Provide the full name of the NAICS code and a brief code description

**Commented [AKF3]:** Provide a brief description (paragraph or two) of the facility.

*Example:*

*Crown Cork & Seal (USA) Co., Inc., manufactures aluminum can ends at the Winchester facility. There are six can end lines in the plant. Precoated coils of aluminum stock are fed into a shell press on each line. The shell press punches out aluminum can ends which are then roll coated with end seal compound. The compound assures a hermetic seal when the can end is joined to the can. After coating the ends go to conversion presses which produce rivets, a score line, and logo embossing. The conversion press also forms the tab. Volatile organic compound emissions (VOC) result from evaporation of solvent in the end seal compound and tab lubricant.*

**Commented [AKF4]:** Include a sentence or two describing current compliance status. There is no need to go back into a compliance history time line.

**Commented [AKF5]:** If not in compliance refer to Compliance Plan Section.



**EMISSION UNITS**

**EMISSIONS INVENTORY**

Emissions from the facility in [most recent year] are summarized in the following tables.

[Year] Criteria Pollutant and Greenhouse Gas Emissions in Tons/Year

Emissions	VOC	CO	SO <sub>2</sub>	PM <sub>10</sub>	PM <sub>2.5</sub>	NO <sub>x</sub>	CO <sub>2e</sub>
Total							

[Year] Facility Hazardous Air Pollutant (HAP) Emissions

Pollutant	[Year] Hazardous Air Pollutant Emission in Tons/Yr

**FUEL BURNING EQUIPMENT REQUIREMENTS - [list applicable emission unit(s)]**

Citations

The following citations from the Virginia Administrative Codes identify the underlying authorities to implement the specific requirements determined to be applicable in the [NSR / State Operating, and/or PSD] permit:

Limitations

Monitoring

The monitoring and recordkeeping requirements in Condition [number] of the NSR permit have been modified to meet Part 70 requirements.

Recordkeeping

General Title V retention of records is 5 years. Some of the records required of the applicable NSPS have 2-year retention timeframes. For the purpose of Title V, all records relevant to this permit and facility must be maintained for 5 years.

The permit includes requirements for maintaining records of all monitoring and testing required by the permit. These records include [brief summary listing].

**Commented [AKF6]:** Provide a brief description of each emission unit and applicable control devices. It is acceptable to refer directly to the emission units table in the Title V permit by including a statement such as "please refer to the Emission Units table in the Title V permit on page [XX]" in lieu of recreating the emission unit table in the SOB.

**Commented [AKF7]:** This section consists of two tables summarizing the actual annual emission of criteria pollutants and greenhouse gas emissions and the actual annual emission of HAPs.

**Commented [AKF8]:** In CEDS under the "Emissions" tab you can find emissions in tons per year for the last five years.

**Commented [AKF9]:** This section on Fuel Burning Equipment Requirements should follow the permit. This section may need to be repeated for multiple emission units. It should also be repeated for Process Equipment Requirements (as applicable) and Facility Wide Applicable Requirements. Multiple units may also be consolidated if requirements are similar.

**Commented [AKF10]:** The permit writer can simply list the citations from the VAC that are addressed in underlying permits or provide more detail as shown below in example:

Example:

9VAC5-50-80, New Source Standard for Visible Emissions

**Commented [AKF11]:** Description of limitations from an existing permit conditions.

Example:

The following VOC limitations are State BACT requirements from Conditions 3, 5, and 6 of the minor NSR Permit issued on January 28, 1992, and amended on January 15, 1993, and November 13, 1993:

Condition 3, limiting coating VOC content to 3.1 pounds of VOC per gallon excluding water.

Condition 5 and Condition 6 limiting annual emissions to 25.2 pounds per hour and 98 tons per year.

**Commented [AKF12]:** Provide a brief description of monitoring.

Example:

The permittee will monitor and record on a monthly basis end seal and tab lube usage, VOC content of the end seal and tab lube, and calculate monthly and annual VOC emissions.

There is no monitoring for the visible emission requirement. Operation of the current lines will not result in visible emissions.

**Commented [AKF13]:** Example.

These records include coating and VOC records, and VOC emission calculations.

**Testing**

**Reporting**

The Title V permit includes semi-annual compliance reporting, excess emission reporting, and the occurrence of any malfunctions or permit deviations. [In addition to these reporting requirements, the following reporting requirements are also required by the Title V permit:]

**STREAMLINED REQUIREMENTS**

**INSIGNIFICANT EMISSIONS UNITS**

The insignificant emission units are presumed to be in compliance with all requirements of the Clean Air Act as may apply. Based on this presumption, no monitoring, recordkeeping or reporting shall be required for these emission units in accordance with 9VAC5-80-110.

Insignificant emission units include the following:

Emission Unit No.	Emission Unit Description	Citation <sup>1</sup> (9VAC )	Pollutant(s) Emitted (9VAC5-80-720 B.)	Rated Capacity (9VAC5-80-720 C.)
5 - 9	Lubricant Storage Tanks	5-80-720 C.3	--*	400 g

<sup>1</sup>The citation criteria for insignificant activities are as follows:  
 9VAC5-80-720 A - Listed Insignificant Activity, Not Included in Permit Application  
 9VAC5-80-720 B - Insignificant due to emission levels  
 9VAC5-80-720 C - Insignificant due to size or production rate

**COMPLIANCE PLAN**

**INAPPLICABLE REQUIREMENTS**

[The startup, shut down, and malfunction opacity exclusion listed in 9VAC5-40-20 A.4 cannot be included in any Title V permit. This portion of the regulation is not part of the federally approved state implementation plan. The opacity standard applies to existing sources at all times including startup, shutdown, and malfunction. Opacity exceedances during startup and shut down will be reviewed with enforcement discretion using the requirements of 9VAC5-40-20 E, which state that "At all times, including periods of startup, shutdown, soot blowing and malfunction, owners shall, to the extent practicable, maintain and operate any affected facility including associated

**Commented [AKF14]:** Brief description of source test requirements including test methods  
 If no source tests are required use the following:  
 The permit does not require source tests. The Department and EPA have authority to require testing not included in this permit if necessary to determine compliance with an emission limit or standard.

**Commented [AKF15]:** Include a brief description of emission unit specific reporting following the intro paragraph of this section.  
 Example:  
 The permit includes quarterly NSPS fuel reporting requirements.

**Commented [AKF16]:** Identify conditions from underlying permits and/or NSPS and/or MACT requirements and choose the most restrictive condition. Other conditions that are no longer applicable (e.g., initial testing and reporting) may also be left out of the Title V permit. Provide a brief explanation of the streamlining and/or omitting of moot conditions process.  
 Example:  
 Title V Condition 2 streamlines the requirements for the internal roof, tank condition, and vapor tight requirements found in Subpart K, MACT 6B, and Condition 2 of the underlying NSR permit.

**Commented [AKF17]:** The permit writer can cut and paste or refer to the Insignificant Emissions Units table provided in the Title V permit.

**Commented [AKF18]:** \*There is nothing to fill in this column because in this example the emission units are relevant to 5-80-720 C.3 not 5-80-720 B. The column could be left out completely at the discretion of the permit writer.

**Commented [AKF19]:** This section should provide a brief explanation of the compliance plan and schedule. NOTE: A Compliance Plan will not be in every SOB.

**Commented [AKF20]:** This section should include any NSPS or MACT requirements that may appear applicable but have been determined NOT to be applicable.  
 Examples:

**Commented [AKF21]:** Greenhouse Gas (GHG) Permitting Requirements:  
 In the previous update regarding GHG language in the SOB (12/2011), it was required of major sources for criteria pollutants that were also major sources of GHGs to include a statement on

**Commented [AKF22]:** The following statement about the opacity startup, shut down, and malfunction exclusions should be included in all Title V permits that have "EXISTING" sources with opacity requirements. If a facility has a more stringent visible emission limit by permit or Regulation, this section may be included in the streamlined section of the SOB. NOTE: If a facility does not

*air pollution control equipment in a manner consistent with air pollution control practices for minimizing emissions."}]*

## GENERAL CONDITIONS

The permit contains general conditions required by 40 CFR Part 70 and 9VAC5-80-110 that apply to all Federal-operating permitted sources. These include requirements for submitting semi-annual monitoring reports and an annual compliance certification report. The permit also requires notification of deviations from permit requirements or any excess emissions.

### Comments on General Conditions

#### Federal Enforceability

Article 1 (9VAC5-80-110 N) states that all terms and conditions in the Title V permit are enforceable by the administrator and citizens under the federal Clean Air Act, except those that have been designated as only state-enforceable.

#### Permit Expiration

This condition refers to the Board taking action on a permit application. The “Board” refers to the State Air Pollution Control Board. The authority to take action on permit application(s) has been delegated to the Regions as allowed by §2.2-604 and §10.1-1185 of the Code of Virginia, and the “Department of Environmental Quality Agency Policy Statement No. 2-09”.

[This general condition cite(s) the Article(s) that follow(s):

(For TV): Article 1 (9VAC5-80-50 et seq.), Part II of 9VAC5 Chapter 80. Federal Operating Permits for Stationary Sources]

[This general condition cites the sections that follow:

9VAC5-80-80. Application

9VAC5-80-140. Permit Shield

9VAC5-80-150. Action on Permit Applications]

#### Failure / Malfunction Reporting

Section 9VAC5-20-180 requires malfunction and excess emission reporting within four hours of discovery. Section 9VAC5-20-180 is from the general regulations. All affected facilities are subject to section 9VAC5-20-180 including Title V facilities. A facility may make a single report

**Commented [AKF23]:** *If a State-Only Enforceable Requirements section is included in the Title V permit, DEQ must specifically designate those requirements as being only state-enforceable terms and conditions in the permit and that the conditions are not required under the federal CAA or under any of its applicable requirements.*

that meets the requirements of 9VAC5-20-180. The report must be made within four daytime business hours of discovery of the malfunction.

[In order for emission units to be relieved from the requirement to make a written report in 14 days the emission units must have continuous monitors meeting the requirements of 9VAC5-50-410 or 9VAC5-40-41.

**Commented [AKF24]:** Note: The choices listed here are based on continuous monitors meeting New Source Review requirements OR existing source requirements listed in 9VAC5-40-41.

This general condition cites the sections that follow:

[9VAC5-40-41. Emissions Monitoring Procedures for Existing Sources  
9VAC5-40-50. Notification, Records and Reporting  
9VAC5-50-50. Notification, Records and Reporting]

[This general condition contains a citation from the Code of Federal Regulations as follows:  
40 CFR 60.13 (h). Monitoring Requirements.]

#### Permit Modification

This general condition cites the sections that follow:

9VAC5-80-50. Applicability, Federal Operating Permit for Stationary Sources  
9VAC5-80-190. Changes to Permits  
9VAC5-80-260. Enforcement  
9VAC5-80-1100. Applicability, Permits For New and Modified Stationary Sources  
9VAC5-80-1605. Applicability, Permits For Major Stationary Sources and Modifications Located in Prevention of Significant Deterioration Areas  
9VAC5-80-2000. Applicability, Permits for Major Stationary Sources and Major Modifications Locating in Nonattainment Areas

#### Asbestos Requirements

The Virginia Department of Labor and Industry under Section 40.1-51.20 of the Code of Virginia also holds authority to enforce 40 CFR 61 Subpart M, National Emission Standards for Asbestos.

[This general condition contains a citation from the Code of Federal Regulations that follows:  
40 CFR 61.145, NESHAP Subpart M. National Emissions Standards for Asbestos as it applies to demolition and renovation.  
40 CFR 61.148, NESHAP Subpart M. National Emissions Standards for Asbestos as it applies to insulating materials.  
40 CFR 61.150, NESHAP Subpart M. National Emissions Standards for Asbestos as it applies to waste disposal.

This general condition cites the regulatory sections that follow:  
9VAC5-60-70. Designated Emissions Standards  
9VAC5-80-110. Permit Content]

**STATE-ONLY ENFORCEABLE REQUIREMENTS**

The following Virginia Administrative Codes have specific requirements only enforceable by the State and have been identified as applicable by the applicant:

**FUTURE APPLICABLE REQUIREMENTS**

**CONFIDENTIAL INFORMATION**

**PUBLIC PARTICIPATION**

The proposed permit will be placed on public notice from [Date] to [Date]. The notice will be published in [Name of Newspaper] newspaper on [Date of Publication].

**Commented [AKF25]:** Include this section only if the source requests them to be included in the TV permit.

**Commented [AKF26]:** Example:

9VAC5-50-310, Odorous Emissions  
9VAC5-50-320, Toxic Pollutants

**Commented [AKF27]:** This section is for any future applicable requirements, most likely a MACT Standard.

Example:

The facility is a major source of hazardous air pollutants (hexane). Maximum achievable control technology standards (MACT) for can manufacturing, under 40 CFR Parts 61 and 63 and 9VAC5 Chapter 60, are scheduled for promulgation on November 1, 2000. The facility will be subject to those requirements when promulgated.

**Commented [AKF28]:** Brief sentence or two stating whether or not there is confidential information

Example:

No confidential information request has been made. All portions of the Title V permit and application are available for public review.