

To: Bolen, Brittany[bolen.brittany@epa.gov]; lovell.will@epa.gov[lovell.will@epa.gov]
Cc: Dravis, Samantha[dravis.samantha@epa.gov]; Paul Narog[pfnarog@mmm.com]; Tom Geier[tgeier@mmm.com]
From: John Metzger
Sent: Mon 6/19/2017 1:51:27 PM
Subject: 3M's Meeting with EPA's Office of Policy, June 16, 2017

Brittany and Will: Thank you for meeting with Paul Narog, Tom Geier and me on Friday, June 16. Please also extend our appreciation to Samantha Dravis who was unavailable.

During Friday's meeting, we discussed the following three items that were part of 3M's response to U.S. EPA's Request for Comment, regarding "Evaluation of Existing Regulations," in accordance with Executive Order 13777. 82 Fed. Reg. 17793 (Apr. 13, 2017).

Research and Development (R&D) Exemption for New Source Performance Standards (NSPS)
U.S. EPA should add an exemption for R&D operations to the NSPS' for web coating lines at 40 C.F.R. Part 60, Subparts RR, TT, FFF, & VVV, thereby clarifying that the rules were never intended to apply to R&D operations. Subparts TT & VVV, in particular, virtually prevent most forms of R&D. Both rules require emission controls (or the use of compliant coatings, which is generally incompatible with the needs of R&D) for even the smallest of R&D lines, rendering them economically infeasible. And neither of the two rules' background documents address R&D in any way—rather, EPA based the rules' applicability and control requirements entirely on full-sized production lines. Finally, we discussed that all of the web coating maximum achievable control technology (MACT) rules at 40 C.F.R. Part 63, many of which apply to the same lines that are subject to the web coating NSPS rules, directly exempt R&D operations.

EPA would likely need to revise—that is, a formal rule-making—the above-noted NSPS rules to add an R&D exemption. An efficient approach, however, might be to include these changes in EPA's upcoming rule-making for the residual risk and technology review (in accordance with Sections 112(f)(2) & 112(d)(6) of the Clean Air Act) of related web coating MACT rules (e.g., for 40 C.F.R. Part 63, Subpart JJJJ). Note that EPA has previously revised a number of related NSPS rules as part of its residual risk and technology review of a MACT rule. *See* 80 Fed. Reg. 75178 (Dec. 1, 2105) for EPA's revision of the NSPS rules at 40 C.F.R. Part 60, Subparts J & Ja as part of its residual risk and technology review of the refinery MACT at 40 C.F.R. Part 63, Subpart CC.

Streamlining of MACT & NSPS Rules for Web Coating Lines. U.S. EPA should promulgate a rule that facilities can optionally meet in lieu of any of eight (8) separate web coating rules codified at 40 C.F.R. Parts 60 & 63. Web coating is a manufacturing technology for making products across many industrial categories. Some coating lines are subject to no more than one of the eight rules; but many lines are subject to multiple rules simultaneously, or are subject to changing combinations of the eight rules from day-to-day depending on the product being manufactured. An optional rule would for many facilities reduce the cost, complexity, and redundancy of having to manage their lines against eight potentially applicable rules

Flexible Air Permits with Advanced Approval of Manufacturing Changes. U.S. EPA should

promote and directly facilitate issuance of air quality permits that “advance-approve” manufacturing changes. Facilities having this type of permit can make qualifying manufacturing changes within only days of submitting a notification to the permitting authority, rather than within months (sometimes more than a year) generally involved under traditional permitting programs. No additional rule-making is required to re-energize and expand this underutilized approach—these permits are based on the “Flexible Air Permitting Rule” at 74 Fed. Reg. 51418 (Oct. 6, 2009).

Thank you, again, for meeting with us and considering our input on these important subjects. We would be pleased to provide additional information, or work directly with U.S. EPA, as might be helpful to move these subjects forward. You may reach me at any time at jfmetzger@mmm.com or at 651-336-7139.

Best regards,



John F. Metzger, P.E. | Sr. Environmental Specialist
3M Environment, Health and Safety
3M Center, 224-5W-03 | St. Paul, MN 55144-1000
Office: 651 737 3580
jfmetzger@mmm.com | www.3M.com