

Statement of Basis for the Air Operating Permit-Final

MAAX US Corp.

Bellingham, Washington

March 9, 2017



Serving Island, Skagit & Whatcom Counties

PERMIT INFORMATION

MAAX US Corp.
2150 Division Street, Bellingham, WA 98226

SIC: 3088
NAICS 326191
EPA AFS: 53-073-0041

NWCAA ID: 1636-V-W

Responsible Corporate Official

David Vander Wee
Vice-President of Operations
MAAX BATH, Inc.
160 Boul. St-Joseph
Lachine, QC H8S 2L3, Canada
(514) 844-4155, ext. 231

Corporate Inspection Contact

Edwin Jones, Environmental Officer
MAAX US Corp.
2150 Division Street
Bellingham, Washington 98226
(877) 438-6229, ext. 8430

Northwest Clean Air Agency

1600 South Second Street
Mount Vernon, Washington 98273-5202
(360) 428-1617

Prepared by

Robyn Jones
Environmental Engineer
(360) 428-1617 ext. 216

Air Operating Permit Number:	Issuance Date:
011R3	March 9, 2017
Permit Modifications:	Modification Date:
Supersedes Permit Number:	Expiration Date:
0011R2	March 9, 2022
Application Received Date:	Renewal Application Due:
November 13, 2015	March 9, 2021

TABLE OF CONTENTS

1	INTRODUCTION	5
1.1	Permit Changes in the Third Renewal	5
2	FACILITY DESCRIPTION	7
2.1	General Facility Description	7
2.2	Emission Unit Description	7
2.3	Emissions Inventory	11
2.4	Compliance History	12
2.5	Consent Orders and Assurances of Discontinuance	13
2.6	Compliance Reports	15
2.7	NWCAA Regulatory Orders	15
2.8	NWCAA Orders of Approval to Construct	15
3	BASIS OF REGULATION APPLICABILITY	17
3.1	National Emission Standards for Hazardous Air Pollutants (NESHAP)	17
3.2	Compliance Assurance Monitoring (CAM)	17
3.3	Chemical Accident Prevention Provisions	17
3.4	New Source Review (NSR)	17
3.5	Greenhouse Gas (GHG) Regulation	19
4	GENERAL PERMIT ASSUMPTIONS	21
4.1	Permit Content	21
4.2	One Time Requirements	21
4.3	Federal Enforceability	21
4.4	Gap-Filling	22
4.5	Future Requirements	22
4.6	Compliance Options	22
5	PERMIT ELEMENTS AND BASIS FOR TERMS AND CONDITIONS.....	23
5.1	Permit Organization	23
5.2	Permit Information and Attest	23
5.3	Section 1 Emission Unit Identification	23
5.4	Section 2 Standard Terms and Conditions	23
5.5	Section 3 Standard Terms and Conditions for NESHAP	24
5.6	Introduction to Sections 4 and 5: Generally and Specifically Applicable Requirements	34
5.7	Section 4 Generally Applicable Requirements	35
5.8	Section 5 Specifically Applicable Requirements	36
5.9	Section 6 Inapplicable Requirements	36
5.10	Section 7 Air Emissions Monitoring Plan	Error! Bookmark not defined.
6	INSIGNIFICANT EMISSION UNITS	37
7	DEFINITIONS AND ACRONYMS	40
8	PUBLIC DOCKET	42

TABLES

Table 2-1 Significant Emission Units at MAAX US Corp.....	11
Table 2-2 MAAX US Corp. Emissions Inventory, tons per year.	12
Table 5-1 Applicability of Subpart A (General Provisions) to Subpart WWWW of Part 63.....	25
Table 6-1 Insignificant Emission Units	37

FIGURES

Figure 2-1 MAAX US Corp. Plant Plot	9
Figure 2-2 Flow Diagram for the MAAX US Corp. Process	10

1 INTRODUCTION

The MAAX US Corp. Bellingham facility (also identified herein as the permittee, MAAX US Corp., or the facility) is required to have an air operating permit because the facility has the potential to emit greater than 10 tons per year of styrene, a regulated hazardous air pollutant listed in section 112(b) of the Federal Clean Air Act. Styrene is released during mixing, application (layup) and subsequent curing of resins applied at the plant.

The Northwest Clean Air Agency (NWCAA) issued the original air operating permit, 011, for the facility on November 16, 1999. Permit 011 was renewed on October 17, 2006 (011R1), and was modified on December 9, 2008 (011R1M1). Permit 011R1M1 was renewed on November 15, 2011 (011R2). Permit 011R2 expired on November 15, 2016.

The purpose of this Statement of Basis is to set forth the legal and factual evidence for the conditions in the MAAX US Corp. air operating permit and to provide background information for permit review by interested parties. This Statement of Basis is not a legally enforceable document in accordance with WAC 173-401-700(8).

1.1 Permit Changes in the Third Renewal

The Northwest Clean Air Agency (NWCAA) received the application for the third renewal of the MAAX US Corp. AOP on November 16, 2015, which was postmarked prior to the application due date of November 15, 2015. An addendum to the application was received on January 21, 2016, making it a complete application.

For this third AOP renewal, formatting throughout the AOP was updated to current NWCAA standards. Changes specific to each permit section are listed below.

1.1.1 General Information and Attest

Dates were incremented generally by five years. As with the second permit renewal, the renewal application is now due one year, rather than six months, before permit expiration.

1.1.2 Section 2 Standard Terms and Conditions

Section 2 of the AOP was updated with the current NWCAA standard version, which includes new and modified applicable regulations and updated reference dates.

1.1.3 Section 3 Standard Terms and Conditions for NESHAP

Section 3 of the AOP was updated with the current NWCAA standard version, modified to reflect the actual conditions and requirements at MAAX.

1.1.4 Sections 4 and 5 Generally and Specifically Applicable Requirements

Changes made to the Generally and Specifically Applicable Requirements sections in the current AOP are summarized in the following list:

- Requirements from Assurance of Discontinuance from NOV #3267, signed December 24, 2002, and Assurance of Discontinuance from NOV #3313,

signed May 22, 2003 have been removed from Section 5. These compliance requirements have been met, and the Assurance of Discontinuance for both NOV's has been closed.

- Monitoring, reporting, and recordkeeping requirements (MR&R) in Section 7 of the AOP have been incorporated into Sections 4 and 5 Generally and Specifically Applicable Requirements to allow for proper citation. Section 7 has been removed.

2 FACILITY DESCRIPTION

2.1 General Facility Description

MAAX US Corp. in Bellingham, Washington manufactures reinforced plastic bath-ware products. These activities are classified under SIC code 3088, "plastics plumbing fixtures" and 2002 NAICS code 326191, "plastics plumbing fixture manufacturing."

The facility began operation in 1985 as Hydroswirl. Privately-held Hydroswirl was purchased by MAAX Inc., a Montreal based bath-ware company, in 1995 and began trading publicly. At that time, this facility was renamed MAAX US Corp. MAAX Inc. was purchased in July of 2004 by JW CHILDS and Associates, an investment firm from Boston, Massachusetts, and is no longer publicly traded.

On June 12th, 2008, TRICAP Partners Ltd, a division of Brookfield Bridge Lending Fund reached an Asset Purchase Agreement with MAAX Corporation. The legal entity formed is called MAAX US Corp. On September 15th, 2008, MAAX US Corp. requested an administrative amendment to their permit to reflect this change.

An updated plot plan of the facility was included as an attachment with the third permit renewal application. It is included as Figure 2-1 of this Statement of Basis. As shown on the plan, the primary buildings house the following activities: office work, warehouse storage, maintenance and repair, mold building, thermoforming, fiberglass spray application, part drilling and trimming, whirlpool installation, and packaging/shipping. The primary process equipment includes: a bulk resin storage tank, spray up resin application guns, trim saws, natural gas ovens, a natural gas makeup air heating furnace, and a solvent (acetone) distillation unit. MAAX US Corp. builds 40,000 acrylic bath units per year.

MAAX US Corp. does not operate any large combustion units, only a few small natural gas heaters and ovens. The majority of these units are considered Insignificant Emission Units under the AOP.

2.2 Emission Unit Description

Each unit produced begins as a sheet of acrylic thermoformed to the desired part's shape. A mixture of resin, fillers, fiberglass, and catalyst is sprayed onto the back of the shaped acrylic resulting in a cured laminate. The excess material is trimmed from the outer edges and drains are drilled. Shower bases and standard bathtubs continue through finishing processes, inspection, and packaging. Whirlpool bathtubs are further drilled and fitted with jets and a pump before these final processes. Additional products such as a skirt (a panel designed to fit under the bathtub's lip and finish at floor level) are also manufactured at MAAX US Corp. The process is represented graphically in Figure 2-2.

Gaseous air contaminants may be released from resin storage, mixing, application and curing, and from solvent evaporation. Particulate is generated from resin application, and cutting and sanding the products and molds. Combustion emissions result from heating appliances. For purposes of organization, the operating permit program divides activities such as these into categories called

emission units. Emission units are distinct activities or processes generating emissions that may be exhausted to the outside air. The air operating permit regulation, Washington Administrative Code (WAC) chapter 173-401, distinguishes small, generally inconsequential, emission units (insignificant) from emission units that generate notable amounts of air contaminants (significant). Table 2-1 lists the significant emission units at the facility. Table 2-2 includes the 2010-2015 annual emissions from primary emission units at MAAX US Corp.

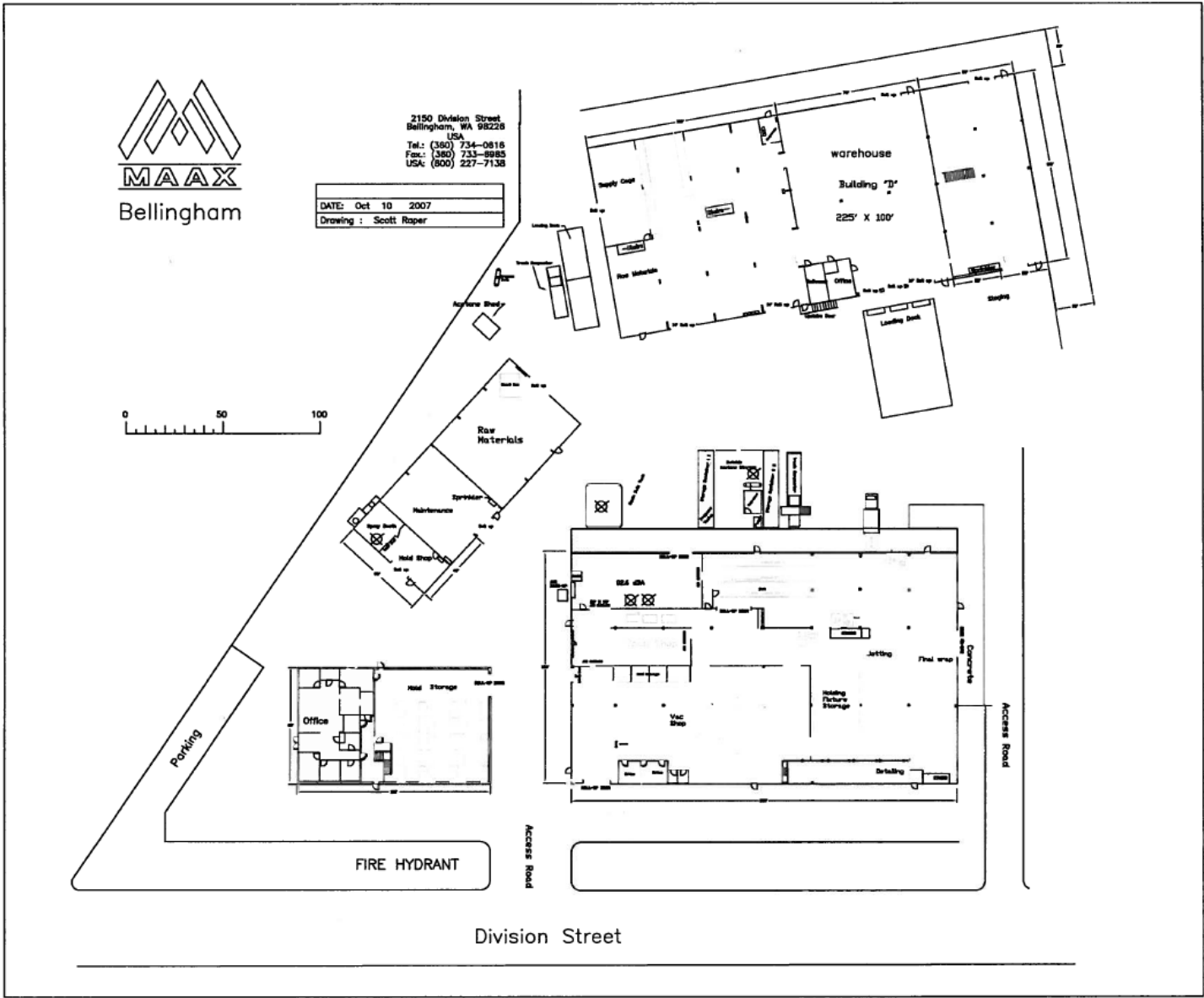


Figure 2-1 MAAx US Corp. Plant Plot

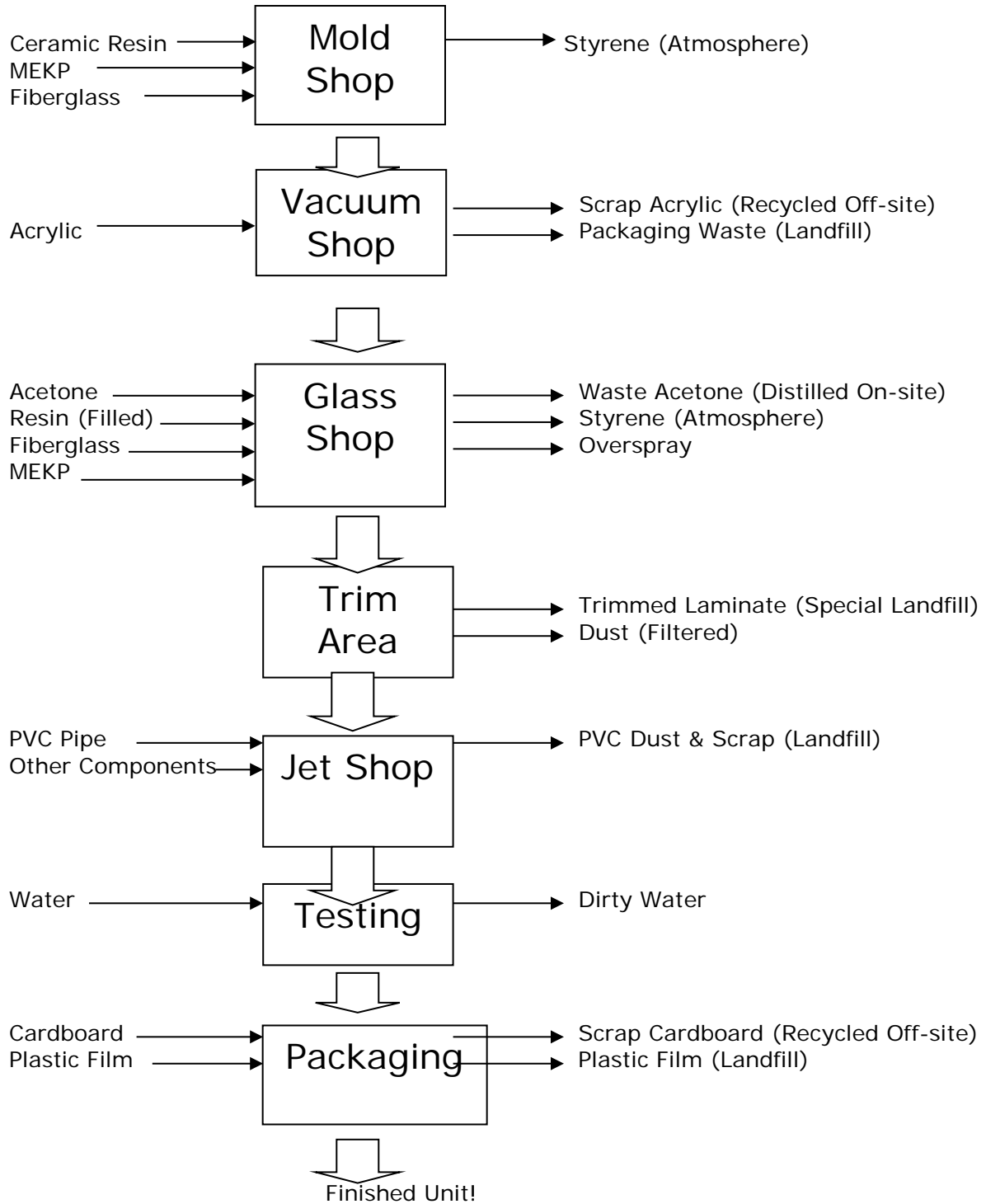


Figure 2-2 Flow Diagram for the MAAX US Corp. Process

Table 2-1 Significant Emission Units at MAAX US Corp.

Emission Unit Process Name	Process Area and Emission Point Description	Emission Abatement Device	Process Description
EU-1 Spray and hand layup of polyester resin or resin and glass fiber	<u>Building C Glass Shop</u> Enclosed work area. Floor-level wall mounted collection with fiber or paper filters. Combined flow of seven vertically exhausting unobstructed stacks equals 28,000 cfm.	None	Spray layup is an open mold fiberglass fabrication process that uses mechanical non-atomized spraying and chopping equipment for application of catalyzed resin and reinforcing material. Hand layup is a fiberglass fabrication process in which reinforcing fibers are manually applied to a mold wetted with catalyzed resin mix. Reinforcing material and resin mix are layered to build laminate thickness. Both types of layup result in emissions of styrene and smaller quantities of volatile organic compounds. Spray layup also emits particulate from overspray. MAAX US CORP uses conventional, vapor and non-vapor suppressed resins.
EU-2 Spray and hand layup of polyester resin or resin and glass fiber	<u>Building B Mold Shop</u> Enclosed work area. Floor-level wall mounted collection system with fiber or paper filters. One vertically exhausting unobstructed stack (9,500 cfm).	None	
EU-3 HAP-containing materials storage	<u>Bulk Resin Storage</u> Bulk resin storage drums, portable totes, and tanks with lids and seals.	None	

2.3 Emissions Inventory

MAAX qualifies as a major source subject to the requirements of the Clean Air Act (CAA) Title V program because it has the potential to emit more than 10 tons per year of styrene, a hazardous air pollutant.

Table 2-2 below shows recent emissions history of the facility as identified in the annual emissions inventory submitted to NWCAA, in tons per year. All VOC reported is styrene.

MAAX does not have the potential to emit more than 100 tons per year of any criteria pollutants.

Table 2-2 MAAX US Corp. Emissions Inventory, tons per year

	2010	2011	2012	2013	2014	2015
TSP	0	0	0	0	0	0
PM ₁₀	0	0	0	0	0	0
PM _{2.5}	0	0	0	0	0	0
SO ₂	0	0	0	0	0	0
NO _x	0	0	0	0	0	0
VOC	7.5	8	12	10	10	12.9
CO	0	0	0	0	0	0

2.4 Compliance History

MAAX US Corp. was initially registered by the NWCAA on July 31, 1993. The list below shows the notices of violation (NOV) issued against MAAX. Violations are resolved through a combination of penalty assessments and corrective action taken by the source. In most cases a summary of corrective action taken by the source was submitted to the NWCAA as a written response to the violation. Additional information about each violation can be obtained upon request to the NWCAA.

There were no Notices of Violation (NOV) issued between that initial registration and January, 2002. Since that time, the following NOV's have been issued:

- Notice of Violation # 3213 Issued January 10, 2002
 The facility was issued a Notice of Violation for failing to submit a semiannual report as required in the Air Operating Permit. This late report followed two other instances of late semiannual reports for which the NWCAA verbally warned MAAX US Corp., but did not issue a NOV. The NWCAA assessed a fine of \$500.
- Notice of Violation # 3267 Issued September 16, 2002
 The facility was issued a Notice of Violation for significant violations of requirements related to operation of the filters in the indoor layup areas. Eighteen violations were noted during an unannounced inspection. The NWCAA assessed a fine of \$20,000 and MAAX US Corp. entered into a Consent Order and Assurance of Discontinuance that included an Enhanced Monitoring and Recordkeeping Plan. As of this permit renewal, the compliance requirements of the Assurance of Discontinuance have been fulfilled, and the additional requirements have been removed from the AOP.
- Notice of Violation # 3298 Issued January 30, 2003
 The facility was issued a Notice of Violation after improper equipment operation resulted in a resin spill and accompanying emissions of styrene. The NWCAA assessed a fine of \$250 and MAAX US Corp. entered into a Consent Order and Assurance of Discontinuance that does not include additional requirements.
- Notice of Violation # 3313 Issued April 2, 2003
 The facility was issued a Notice of Violation after improper equipment

operation resulted in a resin spill and accompanying emissions of styrene. The NWCAA assessed a fine of \$250 and MAAX US Corp. entered into a Consent Order and Assurance of Discontinuance that included a Corrective Action Plan which was amended on June 27, 2006. As of this permit renewal, the compliance requirements of the Assurance of Discontinuance have been fulfilled, and the additional requirements have been removed from the AOP.

- Notice of Violation # 3355 Issued October 1, 2003
The facility was issued a Notice of Violation after violations of filter requirements were noted during an annual inspection. The NWCAA assessed a fine of \$2,000 and MAAX US Corp. entered into a Consent Order and Assurance of Discontinuance that does not include additional requirements.
- Notice of Violation # 3356 Issued October 1, 2003
The facility was issued a Notice of Violation after a new dust collector was installed at the facility without undergoing new source review (NSR). Later, the unit was configured to exhaust indoors. The NWCAA assessed a fine of \$500 and MAAX US Corp. entered into a Consent Order and Assurance of Discontinuance that does not include additional requirements.

2.5 Consent Orders and Assurances of Discontinuance

In response to violations issued by the Northwest Clean Air Agency, MAAX US Corp. entered into several agreements to improve and enhance onsite monitoring. As of this permit renewal, the requirements of these agreements are considered to be fulfilled and are no longer included in the AOP.

- Consent Order and Assurance of Discontinuance, NOV # 3267 signed December 24, 2002
The facility signed this agreement in response to NOV # 3267. The agreement included an Enhanced Monitoring and Recordkeeping Plan as detailed below:
 - 1) Training:
 - a) All employees who work in the glass shop and mold shop (emission unit-1) will go through scheduled, quarterly training on how to read a manometer, properly install filters, and inspect ductwork.
 - b) All supervisors of these areas will be in this training and also instructed on how to check that the emission unit is in proper operation – including how to fill out the logs.
 - c) All training sessions will be documented regarding the date, employees present, and material covered.
 - d) Every new employee, who is assigned to regularly work in one of these shops, will receive proper training prior to starting.
 - e) Training to be conducted by the Environmental Officer and shop supervisor.

- 2) Dust Escape Check:
 - a) Once a week, each filter bank will be measured for the amount of dust inside.
 - b) New filter mediums will be explored and tested until one is found that sufficiently prevents dust (0.1 grain/dscf) from being exhausted out of the building.
 - c) (currently experimenting with two different mediums. Differential pressure ranges will be adjusted as necessary.)
- 3) Daily Logs:
 - a) The weekly logs changed to daily, emphasizing the importance of permit compliance to everyone.
 - b) Double-checks of the accuracy of the logs done by Environmental Officer weekly and signed off.
 - c) Copies of the logs kept by the Environmental Officer.
 - d) Additional log sheets recording when filters are changed and banks cleaned.
- 4) Internal System of Checks:
 - a) Two unannounced inspections of the emission unit per quarter by each of the following management members, totaling 6 separate inspections: Environmental Officer, Production Supervisor, and General Manager.
 - b) Monthly report of the status of the Air Operating Permit to the Production Supervisor and General Manager by the Environmental Officer. (The summation of this data will then comprise the 6-month reports required by the permit.)
- Consent Order and Assurance of Discontinuance, NOV # 3313 signed May 22, 2003

The facility signed this agreement in response to NOV # 3313. The agreement included a Corrective Action Plan that was amended in June, 2006 as the result of installing a new resin bulk tank with advanced safety features. The amended plan is detailed below:

 - 1) Improve communication between truck driver and MAAX US Corp. employees:
 - a) Prior to unloading, the driver will be issued a radio for instant communication. He and the MAAX US Corp. employee will have a dedicated channel.
 - b) MAAX US Corp. will review and revise, if necessary, procedures for receiving bulk resin. MAAX US Corp. will train employees on an annual basis to the procedure. Also, newly hired employees will be trained prior to interacting with the truck driver. Records shall be kept.

- 2) Set the maximum allowable residual resin in the tank prior to refilling at 2,000 gallons. This amount, plus the one full truckload (5,325 gal) is less than the tank capacity (7,570 gal).
- 3) Install an overflow container. The new resin bulk tank incorporates a secondary containment tank that is larger in volume than the primary containment tank. MAAX US Corp. will install an overflow alarm that will indicate when the primary tank is approaching an overfull level.

2.6 Compliance Reports

The MAAX US Corp. AOP requires semiannual and annual reports to be submitted to the NWCAA as part of the facility's ongoing compliance demonstration. Semiannual reports provide for the certification by the responsible corporate official of the truth, accuracy, and completeness of reports submitted during the previous six-month period. With the annual compliance certification the responsible corporate official also certifies compliance with all applicable requirements in the AOP term by term, noting the method with which compliance is determined, and whether the facility was fully or intermittently in compliance with each term.

2.7 NWCAA Regulatory Orders

Prior to becoming a Title V source, MAAX US Corp. was a synthetic minor source. On January 12, 1995, MAAX accepted a voluntary emission limit in order to stay out of the Title V program. This voluntary emission limit and conditions are recorded in Regulatory Order No. 005, issued by the NWCAA on January 12, 1995, and are summarized below:

- Emissions of styrene shall not exceed 19,500 pounds in any calendar year.
- MAAX US Corp. shall use AP-42 – based calculation methods to demonstrate compliance with the styrene emission limit.
- For each resin type, the quantities of resin in inventory, the quantities of resin additive used, the method of layup and the amount of resin applied by that method shall be recorded monthly in a logbook.
- The emission calculation results shall be submitted quarterly to the NWCAA.

The Regulatory Order was rescinded by the NWCAA with a letter to MAAX dated August 10, 1998. The reason for the rescindment was retraction of AP-42 emission factors by the EPA and issuance of new styrene emission factors by the Composite Fabricators Association. The new factors were used for a reassessment of styrene emissions at MAAX, which caused MAAX to be a major source for styrene. March 18, 1999 was established as the date by which MAAX had to submit a complete air operating permit application to the NWCAA.

2.8 NWCAA Orders of Approval to Construct

MAAX US Corp. has received Orders of Approval to Construct (OAC) from the NWCAA for specific equipment. Applicable requirements, reference test methods,

and monitoring for continuing OAC requirements are addressed in Sections 3, 4 and 5 of the permit.

NWCAA Order of Approval to Construct No. 726

Version Date: March 1, 2000

Permitted Equipment: One additional resin application gun at existing facility. According to OAC 726, the facility should have notified the NWCAA in writing when the installation would be complete. No such correspondence was found in the source files; probably the notification was given verbally.

3 BASIS OF REGULATION APPLICABILITY

3.1 National Emission Standards for Hazardous Air Pollutants (NESHAP)

MAAX US Corp. is subject to 40 CFR Part 63 Subpart WWWW- National Emission Standards for Hazardous Air Pollutants: Reinforced Plastic Composites Production. Reinforced plastic composites facilities produce a variety of reinforced plastic products, including fiberglass bath tubs and showers, automobile and recreational vehicle parts, storage tanks, and engine and tool covers. Subpart WWWW requires most existing major sources to incorporate pollution-prevention techniques in their production processes. These techniques include: using raw materials containing low amounts of air toxics; non-atomized resin application; and covering open resin baths and tanks. Compliance assurance is described in Section 5 of the permit.

Whenever a NESHAP applies to a facility, that NESHAP provides a table that specifies which parts of Subpart A (General Provisions) to 40 CFR 63 also apply. Specified parts of Subpart A to 40 CFR 63 apply to MAAX US Corp and are identified in Section 3 of the permit.

3.2 Compliance Assurance Monitoring (CAM)

The requirements of Compliance Assurance Monitoring are contained in 40 CFR 64. They apply to a pollutant-specific emissions unit at a major source that is required to obtain a part 70 or 71 permit provided the unit satisfies all criteria as delineated in 40 CFR 64.2(a)(1)-(3). In particular, 40 CFR 64.2(a)(2) stipulates that the emission unit uses a control device to achieve compliance. MAAX does not use any control devices, as these are defined in 40 CFR 64.1, to achieve compliance.

3.3 Chemical Accident Prevention Provisions

The goal of 40 CFR 68 and the risk management program it requires is to prevent accidental releases of substances that can cause serious harm to the public and the environment from short-term exposures and to mitigate the severity of releases that do occur. If a tank, drum, container, pipe, or other process at a facility contains any of the extremely hazardous toxic and flammable substances listed in Table 1 to 40 CFR 68.130 in an amount above the “threshold quantity” specified for that substance, the facility operator is required to develop and implement a risk management program.

MAAX does not have any of the substances in the threshold quantities listed in Table 1 to 40 CFR 68.130 and therefore it is not subject to the requirements of 40 CFR 98.

3.4 New Source Review (NSR)

3.4.1 Basic Information

New Source Review requires stationary sources of air pollution to acquire permits before they begin construction. NSR is also referred to as construction permitting or preconstruction permitting.

There are three types of NSR permits. A source may have to acquire one or more of these permits:

- Prevention of Significant Deterioration (PSD) permits, which are required for new major sources or a major source making a major modification in an attainment¹ area;
- Nonattainment NSR permits, which are required for new major sources or major sources making a major modification in a nonattainment area. (The NWCAA jurisdiction is currently in attainment for all pollutants, so this type of permit does not currently apply.); and
- Minor source permits, which are required for sources that emit pollutants below the major source threshold but above the minor source threshold. It is generally the case that a major new or modified source will also require minor NSR permitting that covers a different subset of pollutants.

3.4.2 What are Permits?

Permits are legal documents that the source must follow. Permits specify what emission limits must not be exceeded and how the source is to demonstrate compliance with the set limits. Permits may contain conditions to ensure that the source is built according to the permit application upon which the permitting agency relies for air impact analysis. For example, the permit may specify a stack height that was used by the permitting agency to determine compliance with air pollutant limits. Some limits in the permit may be specified at the request of the source to keep them from being subject to other requirements. For example, the source may take limits in a minor NSR permit to keep the source out of PSD. To assure that sources follow permit requirements, permits also contain monitoring, recordkeeping, and reporting (MR&R) requirements.

3.4.3 Who Issues the Permits?

In Washington State most NSR permits are issued by the Washington State Department of Ecology (“Ecology”) or local air pollution control agencies. The EPA issues the permit in some cases. Ecology and local air pollution control agencies have their own permit programs that are approved by EPA in the State Implementation Plan (SIP). In general, in the NWCAA jurisdiction, which encompasses Island, Skagit, and Whatcom Counties, Ecology issues major NSR permits (PSD permits) and NWCAA issues minor NSR permits (Orders of Approval to Construct, or OACs).

3.4.4 Prevention of Significant Deterioration (PSD)

Before a major source can be constructed or modified in an area that meets all the health-based ambient air requirements (i.e. in an attainment area), the owner or operator must demonstrate that the project will not cause or contribute to violations of any ambient air quality standard or air quality increment. Also, the

¹ An attainment area means a geographic area designated by EPA at 40 CFR 81 as having attained the National Ambient Air Quality Standard for a given criteria pollutant (Reference: WAC 173-400-030 (9)).

owner or operator must demonstrate that the project will not cause significant deterioration in nearby Class I Areas (parks and wilderness areas).

MAAX is not a major source for pollutants regulated under PSD. Emissions from MAAX would need to increase above the levels in 52.21 for PSD to apply.

3.4.5 Minor NSR

New or modified sources of air pollution are required to obtain a permit from the NWCAA before beginning construction. Permits are referred to as Orders of Approval to Construct (OACs) and contain a wide range of local, state, and federal requirements to minimize air pollution impacts on the environment. The type of activity, the size of the operation, and the kinds of pollutants emitted determine permit conditions.

3.5 Greenhouse Gas (GHG) Regulation

3.5.1 40 CFR 98, Federal Mandatory Greenhouse Gas Emission Inventory Regulation

The requirements for the mandatory greenhouse gas reporting are contained in 40 CFR 98. In order for a facility to be subject to 40 CFR 98, it must meet the requirements of either 1, 2, or 3 below:

1. A facility that contains any source category that is listed in Table A–3 of 40 CFR 98 Subpart A.
2. A facility that contains any source category that is listed in Table A–4 of 40 CFR 98 Subpart A that emits 25,000 metric tons CO₂e or more per year in combined emissions from stationary fuel combustion units.
3. A facility that has stationary fuel combustion units with an aggregate maximum rated heat input of 30 mmBtu/hr or greater, and the facility emits 25,000 metric tons CO₂e or more per year in combined emissions from all stationary fuel combustion sources.

MAAX does not contain any source category that is listed in tables A-3 or A-4 to subpart A to 40 CFR 98, and has no fuel combustion sources with an aggregate maximum rated heat input of 30 mmBtu/hr.

As a result, MAAX US Corp. is not subject to the requirements of 40 CFR 98.

3.5.2 WAC Chapter 173-441, Reporting of Emissions of Greenhouse Gases

Chapter 173-441 WAC, "Reporting of Emissions of Greenhouse Gases", is a mandatory greenhouse gas (GHG) reporting rule for:

- Suppliers that supply applicable fuels sold in Washington State of which the complete combustion or oxidation would result in at least 10,000 metric tons of carbon dioxide annually; or
- Any listed facility that emits at least 10,000 metric tons of CO₂-equivalents (CO₂e) of greenhouse gases annually in the state.

WAC 173-441 was adopted by Ecology on December 1, 2010 and became effective on January 1, 2011. This regulation does not apply to MAAX because the facility

does not emit 10,000 metric tons or more of CO₂e of greenhouse gases per year.

4 GENERAL PERMIT ASSUMPTIONS

4.1 Permit Content

The permit contains (1) standard terms; (2) generally applicable conditions for the type of facility permitted; and (3) specifically applicable conditions. Applicable requirements that were satisfied by a single past action on the part of the source are not included in the permit but are discussed in the Statement of Basis. Regulations that require action by a regulatory agency, but not of the regulated source, are not included as permit conditions.

4.2 One Time Requirements

- NWCAA OAC 726 requires that the control efficiency of the subject gun be equal or greater than that of non-atomized application technologies. This is inherent to the design of the spray gun and there are no ongoing compliance requirements related to the spray gun.
- NWCAA OAC 726 required notification upon completion of installation of the affected resin application gun. No such notice was located in NWCAA files, but it is likely that the notice was provided via telephone.
- Pursuant to 40 CFR 63.9(b)(2), initial notification that facility is subject to 40 CFR 63 Subpart WWWW. Letter submitted to NWCAA on August 8, 2003.
- Pursuant to 40 CFR 60.9(h), notification of compliance status with respect to 40 CFR 63 Subpart WWWW. Electronic submission to NWCAA on March 17, 2006.

4.3 Federal Enforceability

Federally enforceable requirements are terms and conditions required under the Federal Clean Air Act or under any of its applicable requirements such as NESHAP. Local and state regulations may become federally enforceable by formal approval and incorporation into the State Implementation Plan (SIP) or through other delegation mechanisms. Federally enforceable requirements are enforceable by the EPA and citizens of the United States. All applicable requirements in the permit including Standard Terms and Conditions, Generally Applicable Requirements, and Specifically Applicable Requirements are federally enforceable unless identified in the permit as enforceable only by the state and labeled as “state only”.

Chapter 173-401 WAC is not federally enforceable although the requirements of this regulation are based on federal requirements for the air operating permit program. Upon issuance of the permit, the terms based on Chapter 173-401 WAC will become federally enforceable for the source.

Most rules and requirements are followed by a date in parentheses. Two different versions (identified by the date) of the same regulatory citation may apply to the source if federal approval/delegation lags behind changes made to the Washington Administrative Code (WAC) or the NWCAA Regulation. The date associated with a WAC regulation denotes the “State Effective Date” of the regulation. For SIP-approved WAC regulations (identified by the absence of the “state only”

designation), the date represents the “State Effective Date” of the regulation version that was SIP-approved. For NWCAA regulations, the date represents the most recent Board of Directors adoption date, which is identified as the “Passed” or “Amended” date in the NWCAA Regulation. For SIP-approved NWCAA regulations (also identified by the absence of the “state only” designation), the parenthetical date represents the “Passed” or “Amended” date of the regulation version that was SIP-approved. The date associated with an OAC or PSD permit represents the latest revision date of that order. For a federal rule, the date is the rule’s most recent promulgation date.

4.4 Gap-Filling

Certain air pollution regulations and permit conditions do not specifically call out sufficient MR&R methods to adequately demonstrate compliance with the applicable requirement. In these cases, the permitting agency is obligated to develop site-specific MR&R requirements that the source must follow pursuant to WAC 173-401-615(1)(b) & (c) (10/17/02). The inclusion of the customized MR&R requirements is called “gap-filling”. For instance, nuisance rules and opacity requirements have site-specific gap-filled obligations for the source. If gap-filling has been incorporated for a requirement of the AOP, the MR&R for that term will state “directly enforceable” above the gap-filled text.

On August 19, 2008, the U.S. Court of Appeals vacated EPA’s 2006 interpretive rule that prohibited states from enhancing monitoring in Title V permits. As a result, permitting authorities again must ensure that monitoring in each permit is sufficient to assure compliance with the terms and conditions of the permit.

4.5 Future Requirements

Applicable requirements promulgated with future effective compliance dates may be included as applicable requirements in the permit. Some requirements that are not applicable until triggered by an action, such as the requirement to file an application prior to constructing a new source, are addressed within the standard terms and conditions section of the permit.

There are presently no pending applications to construct or modify MAAX US Corp. in such a way as to trigger New Source Review. MAAX US Corp. has certified in the permit renewal application that the facility will meet any future applicable requirements on a timely basis.

4.6 Compliance Options

MAAX US Corp. did not request emissions trading provisions or specify more than one operating scenario in the air operating permit application; therefore, the permit does not address these options as allowed under WAC 173-401-650. This permit does not condense overlapping applicable requirements (streamlining) nor does it provide any alternative emission limitations.

5 PERMIT ELEMENTS AND BASIS FOR TERMS AND CONDITIONS

5.1 Permit Organization

The MAAX US Corp. Air Operating Permit (AOP) is divided into the following sections:

Permit Information

Attest

Table of Contents

Section 1 Emission Unit Identification

Section 2 Standard Terms and Conditions

Section 3 Standard Terms and Conditions for NESHP

Section 4 Generally Applicable Requirements

Section 5 Specifically Applicable Requirements

Section 6 Inapplicable Requirements

5.2 Permit Information and Attest

5.2.1 Permit Information

The Permit Information page identifies the source and provides general information relevant to the permit such as the facility address, the responsible corporate official, the permit issuance date and the permit expiration date, and the agency personnel responsible for permit preparation, review, and issuance.

5.2.2 Attest

The Attest page provides authorization for the source to operate under the terms and conditions contained in the permit.

5.3 Section 1 Emission Unit Identification

The Emission Unit Identification section lists emission units, rated capacities, and air pollution control methods at MAAX US Corp. Hap-containing storage units, including bulk resin tanks, portable totes, and drums have been added to the list of emission units for this permit renewal. HAP-containing storage units are subject to work-practice standards of Table 4 of 40 CFR 63 Subpart WWWW, so they have been removed from the list of insignificant emission units.

5.4 Section 2 Standard Terms and Conditions

The Standard Terms and Conditions section of the AOP (Section 2) specifies administrative requirements or prohibitions with no ongoing compliance monitoring requirements. The legal authority for the Standard Terms and Conditions is provided in the citations in Section 2 of the AOP. The description of the regulation in each of these conditions (with the exception of those labeled “Directly

enforceable under WAC 173-401-615(1)(b) & (c), 10/17/02”) is sometimes a paraphrase of the actual regulatory requirement. Where there is a difference between the actual requirement and the paraphrased description, the cited regulatory requirement takes precedence. In an effort to make the section more readable, the terms and conditions have been grouped by function. In some cases, similar requirements at the state and local authority level have been grouped together.

Several permit conditions in Section 2 of the AOP are labeled “Directly enforceable under WAC 173-401-615(1)(b) & (c), 10/17/02”. These conditions are a clarification of the regulatory requirements, as the NWCAA interprets those requirements. “Directly enforceable” conditions are legal requirements with which the permittee must comply and are directly enforceable through the permit per NWCAA’s gap-filling authority.

A number of requirements that would not be applicable until triggered have also been included in Section 2 of the AOP. An example of one such requirement is the requirement for a source to submit an application for new source review.

5.5 Section 3 Standard Terms and Conditions for NESHAP

Section 3 of the AOP includes the standard terms and conditions that are contained in Subpart A of 40 CFR 63. Such standard terms and conditions are administrative, notification, and/or other requirements that typically have no ongoing compliance monitoring requirements.

Specified parts of Subpart A to 40 CFR 63 apply to MAAX, as indicated in Table 5-1 below. Section 3 in the AOP is designed to summarize Subpart A to 40 CFR 63. The NWCAA has attempted to provide the essence of the applicable portions of Subpart A by way of paraphrasing in Section 3. In the event of a conflict between Section 3 of the AOP and 40 CFR 63 Subpart A, the latter rules. The applicability table (Table 15 to Subpart WWWW to 40 CFR 63) is presented in full as Table 5-1 below.

Table 5-1 Applicability of Subpart A (General Provisions) to Subpart WWWW of Part 63

The general provisions reference . . .	That addresses . . .	And applies to subpart WWWW of part 63	Subject to the following additional information . . .
§63.1(a)(1)	General applicability of the general provisions	Yes	Additional terms defined in subpart WWWW of Part 63, when overlap between subparts A and WWWW of Part 63 of this part, subpart WWWW of Part 63 takes precedence.
§63.1(a)(2) through (4)	General applicability of the general provisions	Yes	
§63.1(a)(5)	Reserved	No	
§63.1(a)(6)	General applicability of the general provisions	Yes	
§63.1(a)(7) through (9)	Reserved	No	
§63.1(a)(10) through (14)	General applicability of the general provisions	Yes	
§63.1(b)(1)	Initial applicability determination	Yes	Subpart WWWW of Part 63 clarifies the applicability in §§63.5780 and 63.5785.
§63.1(b)(2)	Reserved	No.	
§63.1(b)(3)	Record of the applicability determination	Yes	
§63.1(c)(1)	Applicability of this part after a relevant standard has been set under this part	Yes	Subpart WWWW of Part 63 clarifies the applicability of each paragraph of subpart A to sources subject to subpart WWWW of Part 63.
§63.1(c)(2)	Title V operating permit requirement	Yes	All major affected sources are required to obtain a title V operating permit. Area sources are not subject to subpart WWWW of Part 63.

The general provisions reference . . .	That addresses . . .	And applies to subpart WWWW of part 63	Subject to the following additional information . . .
§63.1(c)(3) and (4)	Reserved	No	
§63.1(c)(5)	Notification requirements for an area source that increases HAP emissions to major source levels	Yes	
§63.1(d)	Reserved	No	
§63.1(e)	Applicability of permit program before a relevant standard has been set under this part	Yes	
§63.2	Definitions	Yes	Subpart WWWW of Part 63 defines terms in §63.5935. When overlap between subparts A and WWWW of Part 63 occurs, you must comply with the subpart WWWW of Part 63 definitions, which take precedence over the subpart A definitions.
§63.3	Units and abbreviations	Yes	Other units and abbreviations used in subpart WWWW of Part 63 are defined in subpart WWWW of Part 63.
§63.4	Prohibited activities and circumvention	Yes	§63.4(a)(3) through (5) is reserved and does not apply.
§63.5(a)(1) and (2)	Applicability of construction and reconstruction	Yes	Existing facilities do not become reconstructed under subpart WWWW of Part 63.
§63.5(b)(1)	Relevant standards for new sources upon construction	Yes	Existing facilities do not become reconstructed under subpart WWWW of Part 63.
§63.5(b)(2)	Reserved	No	

The general provisions reference . . .	That addresses . . .	And applies to subpart WWWW of part 63	Subject to the following additional information . . .
§63.5(b)(3)	New construction/reconstruction	Yes	Existing facilities do not become reconstructed under subpart WWWW of Part 63.
§63.5(b)(4)	Construction/reconstruction notification	Yes	Existing facilities do not become reconstructed under subpart WWWW of Part 63.
§63.5(b)(5)	Reserved	No	
§63.5(b)(6)	Equipment addition or process change	Yes	Existing facilities do not become reconstructed under subpart WWWW of Part 63.
§63.5(c)	Reserved	No	
§63.5(d)(1)	General application for approval of construction or reconstruction	Yes	Existing facilities do not become reconstructed under subpart WWWW of Part 63.
§63.5(d)(2)	Application for approval of construction	Yes	
§63.5(d)(3)	Application for approval of reconstruction	No	
§63.5(d)(4)	Additional information	Yes	
§63.5(e)(1) through (5)	Approval of construction or reconstruction	Yes	
§63.5(f)(1) and (2)	Approval of construction or reconstruction based on prior State preconstruction review	Yes	
§63.6(a)(1)	Applicability of compliance with standards and maintenance requirements	Yes	
§63.6(a)(2)	Applicability of area sources that increase HAP emissions to become major sources	Yes	
§63.6(b)(1) through (5)	Compliance dates for new and reconstructed sources	Yes	Subpart WWWW of Part 63 clarifies compliance dates in §63.5800.
§63.6(b)(6)	Reserved	No	

The general provisions reference . . .	That addresses . . .	And applies to subpart WWWW of part 63	Subject to the following additional information . . .
§63.6(b)(7)	Compliance dates for new operations or equipment that cause an area source to become a major source	Yes	New operations at an existing facility are not subject to new source standards.
§63.6(c)(1) and (2)	Compliance dates for existing sources	Yes	Subpart WWWW of Part 63 clarifies compliance dates in §63.5800.
§63.6(c)(3) and (4)	Reserved	No	
§63.6(c)(5)	Compliance dates for existing area sources that become major	Yes	Subpart WWWW of Part 63 clarifies compliance dates in §63.5800.
§63.6(d)	Reserved	No	
§63.6(e)(1) and (2)	Operation & maintenance requirements	Yes	
§63.6(e)(3)	Startup, shutdown, and malfunction plan and recordkeeping	Yes	Subpart WWWW of Part 63 requires a startup, shutdown, and malfunction plan only for sources using add-on controls.
§63.6(f)(1)	Compliance except during periods of startup, shutdown, and malfunction	No	Subpart WWWW of Part 63 requires compliance during periods of startup, shutdown, and malfunction, except startup, shutdown, and malfunctions for sources using add-on controls.
§63.6(f)(2) and (3)	Methods for determining compliance	Yes	
§63.6(g)(1) through (3)	Alternative standard	Yes	
§63.6(h)	Opacity and visible emission Standards	No	Subpart WWWW of Part 63 does not contain opacity or visible emission standards.
§63.6(i)(1) through (14)	Compliance extensions	Yes	

The general provisions reference . . .	That addresses . . .	And applies to subpart WWWW of part 63	Subject to the following additional information . . .
§63.6(i)(15)	Reserved	No	
§63.6(i)(16)	Compliance extensions	Yes	
§63.6(j)	Presidential compliance exemption	Yes	
§63.7(a)(1)	Applicability of performance testing requirements	Yes	
§63.7(a)(2)	Performance test dates	No	Subpart WWWW of Part 63 initial compliance requirements are in §63.5840.
§63.7(a)(3)	CAA Section 114 authority	Yes	
§63.7(b)(1)	Notification of performance test	Yes	
§63.7(b)(2)	Notification rescheduled performance test	Yes	
§63.7(c)	Quality assurance program, including test plan	Yes	Except that the test plan must be submitted with the notification of the performance test.
§63.7(d)	Performance testing facilities	Yes	
§63.7(e)	Conditions for conducting performance tests	Yes	Performance test requirements are contained in §63.5850. Additional requirements for conducting performance tests for continuous lamination/casting are included in §63.5870.
§63.7(f)	Use of alternative test method	Yes	
§63.7(g)	Performance test data analysis, recordkeeping, and reporting	Yes	
§63.7(h)	Waiver of performance tests	Yes	
§63.8(a)(1) and (2)	Applicability of monitoring requirements	Yes	
§63.8(a)(3)	Reserved	No	
§63.8(a)(4)	Monitoring requirements when using flares	Yes	
§63.8(b)(1)	Conduct of monitoring exceptions	Yes	
§63.8(b)(2) and (3)	Multiple effluents and multiple monitoring systems	Yes	

The general provisions reference . . .	That addresses . . .	And applies to subpart WWWW of part 63	Subject to the following additional information . . .
§63.8(c)(1)	Compliance with CMS operation and maintenance requirements	Yes	This section applies if you elect to use a CMS to demonstrate continuous compliance with an emission limit.
§63.8(c)(2) and (3)	Monitoring system installation	Yes	This section applies if you elect to use a CMS to demonstrate continuous compliance with an emission limit.
§63.8(c)(4)	CMS requirements	Yes	This section applies if you elect to use a CMS to demonstrate continuous compliance with an emission limit.
§63.8(c)(5)	Continuous Opacity Monitoring System (COMS) minimum procedures	No	Subpart WWWW of Part 63 does not contain opacity standards.
§63.8(c)(6) through (8)	CMS calibration and periods CMS is out of control	Yes	This section applies if you elect to use a CMS to demonstrate continuous compliance with an emission limit.
§63.8(d)	CMS quality control program, including test plan and all previous versions	Yes	This section applies if you elect to use a CMS to demonstrate continuous compliance with an emission limit.
§63.8(e)(1)	Performance evaluation of CMS	Yes	This section applies if you elect to use a CMS to demonstrate continuous compliance with an emission limit.
§63.8(e)(2)	Notification of performance evaluation	Yes	This section applies if you elect to use a CMS to demonstrate continuous compliance with an emission limit.
§63.8(e)(3) and (4)	CMS requirements/alternatives	Yes	This section applies if you elect to use a CMS to demonstrate continuous compliance with an emission limit.

The general provisions reference . . .	That addresses . . .	And applies to subpart WWWW of part 63	Subject to the following additional information . . .
§63.8(e)(5)(i)	Reporting performance evaluation results	Yes	This section applies if you elect to use a CMS to demonstrate continuous compliance with an emission limit.
§63.8(e)(5)(ii)	Results of COMS performance evaluation	No	Subpart WWWW of Part 63 does not contain opacity standards.
§63.8(f)(1) through (3)	Use of an alternative monitoring method	Yes	
§63.8(f)(4)	Request to use an alternative monitoring method	Yes	
§63.8(f)(5)	Approval of request to use an alternative monitoring method	Yes	
§63.8(f)(6)	Request for alternative to relative accuracy test and associated records	Yes	This section applies if you elect to use a CMS to demonstrate continuous compliance with an emission limit.
§63.8(g)(1) through (5)	Data reduction	Yes	
§63.9(a)(1) through (4)	Notification requirements and general information	Yes	
§63.9(b)(1)	Initial notification applicability	Yes	
§63.9(b)(2)	Notification for affected source with initial startup before effective date of standard	Yes	
§63.9(b)(3)	Reserved	No	
§63.9(b)(4)(i)	Notification for a new or reconstructed major affected source with initial startup after effective date for which an application for approval of construction or reconstruction is required	Yes	
§63.9(b)(4)(ii) through (iv)	Reserved	No	

The general provisions reference . . .	That addresses . . .	And applies to subpart WWWW of part 63	Subject to the following additional information . . .
§63.9(b)(4)(v)	Notification for a new or reconstructed major affected source with initial startup after effective date for which an application for approval of construction or reconstruction is required	Yes	Existing facilities do not become reconstructed under subpart WWWW of Part 63.
§63.9(b)(5)	Notification that you are subject to this subpart for new or reconstructed affected source with initial startup after effective date and for which an application for approval of construction or reconstruction is not required	Yes	Existing facilities do not become reconstructed under subpart WWWW of Part 63.
§63.9(c)	Request for compliance extension	Yes	
§63.9(d)	Notification of special compliance requirements for new source	Yes	
§63.9(e)	Notification of performance test	Yes	
§63.9(f)	Notification of opacity and visible emissions observations	No	Subpart WWWW of Part 63 does not contain opacity or visible emission standards.
§63.9(g)(1)	Additional notification requirements for sources using CMS	Yes	This section applies if you elect to use a CMS to demonstrate continuous compliance with an emission limit.
§63.9(g)(2)	Notification of compliance with opacity emission standard	No	Subpart WWWW of Part 63 does not contain opacity emission standards.
§63.9(g)(3)	Notification that criterion to continue use of alternative to relative accuracy testing has been exceeded	Yes	This section applies if you elect to use a CMS to demonstrate continuous compliance with an emission limit.
§63.9(h)(1) through (3)	Notification of compliance status	Yes	
§63.9(h)(4)	Reserved	No	

The general provisions reference . . .	That addresses . . .	And applies to subpart WWW of part 63	Subject to the following additional information . . .
§63.9(h)(5) and (6)	Notification of compliance status	Yes	
§63.9(i)	Adjustment of submittal deadlines	Yes	
§63.9(j)	Change in information provided	Yes	
§63.10(a)	Applicability of recordkeeping and reporting	Yes	
§63.10(b)(1)	Records retention	Yes	
§63.10(b)(2)(i) through (v)	Records related to startup, shutdown, and malfunction	Yes	Only applies to facilities that use an add-on control device.
§63.10(b)(2)(vi) through (xi)	CMS records, data on performance tests, CMS performance evaluations, measurements necessary to determine conditions of performance tests, and performance evaluations	Yes	
§63.10(b)(2)(xii)	Record of waiver of recordkeeping and reporting	Yes	
§63.10(b)(2)(xiii)	Record for alternative to the relative accuracy test	Yes	
§63.10(b)(2)(xiv)	Records supporting initial notification and notification of compliance status	Yes	
§63.10(b)(3)	Records for applicability determinations	Yes	
§63.10(c)(1)	CMS records	Yes	This section applies if you elect to use a CMS to demonstrate continuous compliance with an emission limit.
§63.10(c)(2) through (4)	Reserved	No	
§63.10(c)(5) through (8)	CMS records	Yes	This section applies if you elect to use a CMS to demonstrate continuous compliance with an emission limit.
§63.10(c)(9)	Reserved	No	

The general provisions reference . . .	That addresses . . .	And applies to subpart WWWW of part 63	Subject to the following additional information . . .
§63.10(c)(10) through (15)	CMS records	Yes	This section applies if you elect to use a CMS to demonstrate continuous compliance with an emission limit.
§63.10(d)(1)	General reporting requirements	Yes	
§63.10(d)(2)	Report of performance test results	Yes	
§63.10(d)(3)	Reporting results of opacity or visible emission observations	No	Subpart WWWW of Part 63 does not contain opacity or visible emission standards.
§63.10(d)(4)	Progress reports as part of extension of compliance	Yes	
§63.10(d)(5)	Startup, shutdown, and malfunction reports	Yes	Only applies if you use an add-on control device.
§63.10(e)(1) through (3)	Additional reporting requirements for CMS	Yes	This section applies if you have an add-on control device and elect to use a CEM to demonstrate continuous compliance with an emission limit.
§63.10(e)(4)	Reporting COMS data	No	Subpart WWWW of Part 63 does not contain opacity standards.
§63.10(f)	Waiver for recordkeeping or reporting	Yes	
§63.11	Control device requirements	Yes	Only applies if you elect to use a flare as a control device.
§63.12	State authority and delegations	Yes	
§63.13	Addresses of State air pollution control agencies and EPA Regional Offices	Yes	
§63.14	Incorporations by reference	Yes	
§63.15	Availability of information and confidentiality	Yes	

5.6 Introduction to Sections 4 and 5: Generally and Specifically

Applicable Requirements

Requirements that limit emissions and broadly apply to all sources within the jurisdiction of the NWCAA are identified in Section 4 - Generally Applicable Requirements. Requirements that limit emissions and apply specifically to emission units at MAAX US Corp. are identified in Section 5 - Specifically Applicable Requirements. The tables in these sections are organized by pollutant type. The first column contains the term number followed by the pollutant type. The second column identifies the regulatory citation. The third column provides a brief description of the applicable requirements for informational purposes and is not itself enforceable. The fourth column identifies monitoring, recordkeeping and reporting requirements in accordance with WAC 173-401-605(1), -615(1) & (2). Test methods associated with an applicable requirement or in accordance with WAC 173-401-615(1)(a) are included in this column.

Many generally applicable requirements do not specify test and/or monitoring methods within the text of the regulation or statute. Since WAC 173-401-615 requires that the permit require monitoring and recordkeeping adequate to demonstrate compliance with requirements, legally enforceable site-specific monitoring methods were established (“gap-filled”) based on the characteristics of the facility, the nature of the underlying requirement, the requirements of WAC 173-401-615, and EPA guidance on monitoring.

The following discussion of permit terms provides some information on how the facility demonstrates compliance with these terms.

5.7 Section 4 Generally Applicable Requirements

5.7.1 Fugitive Emission Standards (Permit Terms 4.7 through 4.11)

MAAX US Corp. does not conduct activities that typically generate fugitive emissions such as storage or transport of solid materials. Permit conditions require the facility to respond to and correct nuisance emissions as soon as possible. If emissions cannot be corrected within four hours, MAAX US Corp. must stop all activities contributing to the problem until repairs can be made. MAAX US Corp. will provide assurance of compliance with these requirements in the annual compliance certification and by maintaining a log of nuisance complaints and associated repairs and mitigation actions.

5.7.2 Opacity Standard (Permit Term 4.12)

The generally applicable opacity requirement limits any source at the facility to 20% opacity according to Ecology Method 9A. MAAX US Corp. shall visually inspect particulate emission points monthly for visible emissions while the subject emission unit is in operation. Any visible emissions detected shall be reduced to none or monitored by Ecology Method 9A as soon as possible and no later than 24 hours after detection. Results of monthly inspections, any periods of visible emissions monitored by MAAX personnel, any related equipment or operational failure, the identification of the affected emissions unit and location, the dates of occurrence and the action taken to resolve the problem(s) shall be logged.

5.7.3 Particulate Matter Standards (Permit Terms 4.13, 4.14, and 4.15)

MAAX US Corp. shall inspect particulate emission points monthly for visible emissions by visual observation. Any visible emissions detected shall be reduced to zero opacity or monitored by Ecology Method 9A as soon as possible and no later than 24 hours after detection. Results of monthly inspections, any periods of opacity greater than zero, any related equipment or operational failure, the identification of the affected emissions unit and location, the dates of occurrence and the action taken to resolve the problem(s) shall be logged.

5.7.4 Sulfur Dioxide Standards, Stack Emissions (Permit Terms 4.16 through 4.19)

Exceedance of these standards is not reasonably feasible for MAAX US Corp. Only natural gas is used at the facility. Northwest Pipeline provides natural gas with a typical sulfur content of <2 grains/100 scf, which is less than the 412 ppm (50 grains/100 scf) limit.

5.8 Section 5 Specifically Applicable Requirements

This section lists applicable requirements that apply uniquely to a process unit or to a specific category of process unit. Typically, these requirements originate from an Order of Approval to Construct issued by NWCAA or from a federal regulation.

This includes requirements from National Emission Standards for Hazardous Air Pollutants (NESHAPs) for the Reinforced Plastics Composites Industry. This rule is contained in Subpart WWWW of 40 CFR Part 63. The facility has chosen to meet the HAP (hazardous air pollutant) limit by reducing the amount of HAPs in their resin, in this case by limiting the styrene content in their resin to 38% and by using non-atomized mechanical spray resin application.

5.9 Section 6 Inapplicable Requirements

Washington Administrative Code 173-401-640(2) allows a determination regarding the applicability of requirements with which the source must comply. Section 6 of the permit lists requirements deemed inapplicable based on the applicability of the cited regulation. It is stated in the AOP that the permit shield applies to the specific, listed inapplicable requirements.

6 INSIGNIFICANT EMISSION UNITS

Washington Administrative Code 173-401-640 allows a determination regarding the applicability of requirements with which the source must comply. Section 6 of the permit lists requirements deemed inapplicable based on the applicability of the cited regulation.

Categorically exempt insignificant emissions units listed in WAC 173-401-532 are present at the MAAX US Corp.. These categorically exempt emissions units normally have extremely low emissions and are considered insignificant by regulation and not of sufficient importance to list in the permit. Other emission units or activities generate only fugitive emissions for which there are no specifically applicable requirements. These activities are categorized as insignificant by Chapter 173-401-530(1)(d) WAC. Categorically insignificant and fugitive emission units and activities are listed in Table 6-1.

As noted in Section 2.1 of this Statement of Basis and Table 2-2, drums, portable totes, and tanks containing resin have been removed from Table 6-1, because they are subject to the work-practice standards in Table 4 of 40 CFR 63 Subpart WWWW. They have been included in the list of emission units found in Section 1 of the AOP.

Table 6-1 Insignificant Emission Units

Citation	Description	Process Area
WAC 173-401-533 (2)(i)	Welding using not more than one ton per day of welding rod.	Maintenance shop
WAC 173-401-533 (2)(r)	Space heaters and hot water heaters using natural gas and generating less than five million Btu/hr.	Warehouse heaters
WAC 173-401-533 (2)(s)	Tanks, vessels and pumping equipment, with lids or other appropriate closure for storage or dispensing of aqueous solution of inorganic salts, bases and acids	Resin emulsifier stations
WAC 173-401-533 (2)(d)	Operation, loading and unloading storage of butane, propane, or liquefied petroleum gas (LPG), storage tanks, vessel capacity under forty thousand gallons.	Propane fueled equipment: fork-lifts, shrink-wrap guns, etc.
WAC 173-401-532(10)	Internal combustion engines for propelling or powering a vehicle.	Trucks, forklifts
WAC 173-401-532(11)	Recreational fireplaces including the use of barbecues, campfires and ceremonial fires.	Company barbecues
WAC 173-401-532(25)	Presses and vacuum forming, for curing rubber and plastic products or for laminating plastics.	Thermoforming press
WAC 173-401-533(2)(e)	Combustion source less than 5 MMBtu/hr exclusively using natural gas.	Thermoforming press oven: 970,200 Btu/hr input heat capacity. Glass shop makeup air heater 1,268,000

Citation	Description	Process Area
		Btu/hr heat input capacity
WAC 173-401-532(33)	Plant upkeep including routine housekeeping, preparation for and painting of structures or equipment, retarring roofs, applying insulation to buildings in accordance with applicable environmental and health and safety requirements and paving or stripping parking lots.	General plant maintenance
WAC 173-401-532(35)	Cleaning and sweeping of streets and paved surfaces.	All paved and concrete surfaces
WAC 173-401-532(38)	Laundering, dryers, extractors, tumblers for fabrics, using water solutions of bleach or detergents.	Clothes dryer
WAC 173-401-533 (2)(o)	Batch solvent distillation, not being greater than fifty-five gallons batch capacity.	Solvent distillation unit (15 gal.)
WAC 173-401-532(41)	Food preparing for human consumption including cafeterias, kitchen facilities and barbecues located at a source for providing food service on the premises.	Lunchrooms
WAC 173-401-533 (3)(c)	Chemical or physical analytical laboratory operations or equipment including fume hoods and vacuum pumps.	Resin testing laboratory
WAC 173-401-532(43)	Lawn and landscaping activities.	Facility grounds
WAC 173-401-532(45)	General vehicle maintenance including vehicle exhaust from repair facilities.	Maintenance shop
WAC 173-401-532(48)	Natural and forced air vents and stacks for bathroom/toilet facilities.	All lavatories
WAC 173-401-532(49)	Office activities.	Buildings A, C, and D
WAC 173-401-532(54)	Fuel and exhaust emissions from vehicles in parking lots.	Entire facility
WAC 173-401-532(55)	Grinding, sawing, drilling, sanding or buffing either: metals, plastics, or wood, provided that: (a) Activity is performed indoors; (b) Particulate emission control in the immediate vicinity of the activity; (c) Exhaust from the particulate control is within the building housing the activity; (d) No fugitive particulate emissions enter the environment.	Trim area exhaust routed to interior of Bldg. C

Citation	Description	Process Area
WAC 173-401-532(70)	Photographic process equipment by which an image is reproduced upon material sensitized to radiant energy, e.g., blueprint activity, photocopiers, mimeograph, telefax, photographic developing, and microfiche.	Copy machines
WAC 173-401-532(74)	Repair and maintenance activities, not involving installation of an emission unit and not increasing potential emissions of a regulated air pollutant.	Entire facility
WAC 173-401-532(79)	Solid waste (as defined in the WAC) containers.	Waste compactors
WAC 173-401-532(87)	Steam vents and safety relief valves.	Facility equipment
WAC 173-401-532(88)	Air compressors, pneumatically operated equipment, systems and hand tools.	Entire facility
WAC 173-401-532(94)	Process water and white water storage tanks.	Resin emulsifier containers
WAC 173-401-532(5)	Pressurized storage of oxygen, nitrogen, carbon dioxide, air, or inert gases.	Pressurized air
WAC 173-401-532(9)	Vents from rooms, buildings and enclosures that contain permitted emissions units or activities from which local ventilation, controls and separate exhaust are provided.	Vents
WAC 173-401-532(51)	Sampling connections used exclusively to withdraw materials for laboratory analysis and testing.	Sample points

7 DEFINITIONS AND ACRONYMS

Definitions are assumed to be those found in the underlying regulation. A short list of definitions applicable to this document is included here.

An "applicable requirement" is a provision, standard, condition, or requirement in any of the listed regulations or statutes as it applies to an emission unit or facility at a stationary source.

"Ecology" means the Washington State Department of Ecology.

An "emission unit" is any part or activity of a stationary source that emits or has the potential to emit any regulated air pollutant.

A "permit" means for the purposes of the air operating permit program an air operating permit issued pursuant to Title V of the 1990 Federal Clean Air Act.

"State" means for the purposes of the air operating permit program NWCAA or the Washington State Department of Ecology. The following is a list of acronyms and abbreviations used in the Air Operating Permit and/or Statement of Basis:

ASIL	Acceptable source impact level
ASTM	American Society for Testing and Materials
BACT	Best Available Control Technology
CAM	Compliance Assurance Monitoring (40 CFR 64)
CEM	Continuous emission monitor
CEMS	Continuous emission monitoring system
CFR	Code of Federal Regulations
CO	Carbon monoxide
dsfc	Dry standard cubic foot
EPA	The United States Environmental Protection Agency
FCAA	Federal Clean Air Act
gr	grains (there are 7,000 grains in one pound)
ISO	International Organization for Standardization
MMBtu	Million British thermal units (units of energy)
MMBtu/hr	Million British thermal units per hour (units of power)
MR&R	Monitoring, recordkeeping and reporting requirements

NESHAP	National Emission Standards for Hazardous Air Pollutants
NOC	Notice of Construction
NO _x	Oxides of nitrogen
NSR	New Source Review
NWCAA	Northwest Clean Air Agency
O ₂	Oxygen
OAC	Order of Approval to Construct
PM	Particulate matter
PM ₁₀	Particulate matter less than 10 microns in diameter
ppmvd	parts per million volume, dry
PSD	Prevention of Significant Deterioration (federally required program for pre-construction review of sources)
QA/QC	Quality assurance/quality control
RCW	Revised Code of Washington
scf	standard cubic feet
SIP	State Implementation Plan
SO ₂	Sulfur dioxide
STP	Standard Temperature and Pressure: 20° C (68° F) and 760 mm Hg (29.92 in. Hg) per NWCAA Regulation (e.g. applies to fuel sulfur limit) 288 K (15° C, 59° F) and 101.3 kPa (1 atmosphere) per ISO (e.g. applies to natural gas volume measurement)
VE	Visible emissions
VOC	Volatile Organic Compound
WAC	Washington Administrative Code

8 PUBLIC DOCKET

Copies of MAAX US Corp.'s Air Operating Permit, permit application, and any technical support documents are available online at www.nwcleanairwa.gov or at the following location:

Northwest Clean Air Agency
1600 South Second Street
Mount Vernon, WA 98273-5202