



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 1
Air and Radiation Division
5 Post Office Square
Boston, MA 02109

April 10, 2023

Mr. Paul C. Simonetta
Triton Environmental, Inc.
385 Church Street, Suite 201
Guilford, CT 06437

Re: Applicability Review
NESHAP 40 CFR Part 63, Subpart XXXXXX
Buchanan Marine, LP, 39 Ferry Street, New Haven, CT

Dear Mr. Simonetta,

The United States Environmental Protection Agency, Region 1 (EPA) has reviewed your letter dated January 15, 2020 requesting a determination as to whether the National Emission Standards for Hazardous Air Pollutants Area Source Standards for Nine Metal Fabrication and Finishing Source Categories, 40 CFR Part 63, Subpart XXXXXX (Subpart 6X) applies to the operations at Buchanan Marine, LP (Buchanan) located at 39 East Ferry Street, New Haven, Connecticut 06513. This letter provides you with a written applicability determination.

Your January 15, 2020, letter summarizes facility operations. Buchanan is a marine railway facility that has historically engaged in barge construction, fabrication, and repairs. The operations were previously classified under the source category Fabricated Structural Metal Manufacturing, with the Standard Industrial Classification (SIC) code 3441 and the North American Industry Classification System (NAICS) code 332312. In December 2011, Buchanan discontinued barge construction and fabrication, but continued barge repairs. These repairs consist of dry abrasive blasting, welding, and application of surface coatings on metal products.

Additionally, a subsequent letter addressed to the Connecticut Department of Energy and Environmental Protection (CT DEEP), dated November 4, 2022, requests to withdraw Buchanan's New Source Review permit application No. 202002390. It states that the facility can continue to operate below the 12-month rolling aggregate limit of 3,000 gallons for coating and solvent usage and will continue to operate under permit-by-rule. This information confirms that the facility maintains its status as an area source of hazardous air pollutants (HAP) and will not reclassify to a major source of HAP.

EPA was made aware by CT DEEP on January 20, 2023 of the withdrawal of Buchanan's New Source Review permit application. After a subsequent conference call on February 8, 2023 with the facility and CT DEEP, EPA began moving forward with the applicability determination review having certainty that Buchanan remains an area source of HAP.

Subpart 6X applicability provisions at 63.11514(a) specify that Subpart 6X applies to an area source that is primarily engaged in the operations in one of the nine source categories listed in paragraphs (a)(1) through (9):

- (1) Electrical and Electronic Equipment Finishing Operations
- (2) Fabricated Metal Products
- (3) Fabricated Plate Work (Boiler Shops)
- (4) Fabricated Structural Metal Manufacturing
- (5) Heating Equipment, except Electric
- (6) Industrial Machinery and Equipment Finishing Operations
- (7) Iron and Steel Forging
- (8) Primary Metal Products Manufacturing
- (9) Valves and Pipe Fittings

Each of these nine source categories is further described in Table 1 of Subpart 6X (Subpart 6X Table 1), included as an enclosure to this letter. This table describes Fabricated Structural Metal Manufacturing to include establishments primarily engaged in fabricating iron and steel or other metal for structural purposes, such as bridges, buildings, and sections for ships, boats, and barges. The description does not specifically mention barge repairs.

Furthermore, EPA's Subpart 6X Questions & Answers document, revised June 2020, provides specific SIC/NAICS code combinations in Table 1 (Q&A Table 1) [see enclosure] that determine applicability to Subpart 6X. If a facility is not primarily engaged in operations in one of the nine source categories listed in Subpart 6X and its SIC/NAICS code combination is not included under Q&A Table 1, the facility is not subject to the rule.

The January 15, 2020 letter states that the Buchanan facility's current operations are classified under the source category Ship Building and Repairing with the following codes:

SIC Code: **3731** Ship Building and Repairing
NAICS Code: **336611** Ship Building and Repairing

Buchanan's primary operations of Ship Building and Repairing is not one of the nine source categories listed in Subpart 6X and its SIC/NAICS code combination, SIC 3731

and NAICS 336611, is not included under Q&A Table 1. Therefore, we conclude that the Buchanan facility operations are not subject to Subpart 6X.

EPA relied upon the accuracy of the information provided by Buchanan to make this determination. Buchanan is not relieved of the responsibility for complying fully with any and all applicable federal, state and local laws, regulations and permits. Should the facility undergo a process change or be assigned a new SIC or NAICS code, this applicability determination may no longer be valid. If you have any questions regarding this letter, please contact Jessica Kilpatrick of my staff at kilpatrick.jessica@epa.gov or (617) 918-1652.

Sincerely,

Cynthia L Greene

Cynthia L. Greene, Deputy Director
Air and Radiation Division

Enclosure: Tables Referenced in EPA's Applicability Determination Letter to Buchanan Marine on Applicability to 40 CFR Part 63, Subpart XXXXXX

CC: Stan Ogiejko, Buchanan Marine, LP

ENCLOSURE

Tables Referenced in EPA's Applicability Determination Letter to
Buchanan Marine on Applicability to 40 CFR Part 63, Subpart XXXXXX

**Table 1 to Subpart XXXXXX of Part 63—Description of Source Categories
Affected by This Subpart (Subpart 6X Table 1)¹**

Metal fabrication and finishing source category	Description
Electrical and Electronic Equipment Finishing Operations	Establishments primarily engaged in manufacturing motors and generators; and electrical machinery, equipment, and supplies, not elsewhere classified. The electrical machinery equipment and supplies industry sector of this source category includes establishments primarily engaged in high energy particle acceleration systems and equipment, electronic simulators, appliance and extension cords, bells and chimes, insect traps, and other electrical equipment and supplies not elsewhere classified. The motors and generators sector of this source category includes establishments primarily engaged in manufacturing electric motors (except engine starting motors) and power generators; motor generator sets; railway motors and control equipment; and motors, generators and control equipment for gasoline, electric, and oil-electric buses and trucks.
Fabricated Metal Products	Establishments primarily engaged in manufacturing fabricated metal products, such as fire or burglary resistive steel safes and vaults and similar fire or burglary resistive products; and collapsible tubes of thin flexible metal. Also, establishments primarily engaged in manufacturing powder metallurgy products, metal boxes; metal ladders; metal household articles, such as ice cream freezers and ironing boards; and other fabricated metal products not elsewhere classified.
Fabricated Plate Work (Boiler Shops)	Establishments primarily engaged in manufacturing power marine boilers, pressure and nonpressure tanks, processing and storage vessels, heat exchangers, weldments and similar products.
Fabricated Structural Metal Manufacturing	Establishments primarily engaged in fabricating iron and steel or other metal for structural purposes, such as bridges, buildings, and sections for ships, boats, and barges.
Heating Equipment, except Electric	Establishments primarily engaged in manufacturing heating equipment, except electric and warm air furnaces, including gas, oil, and stoker coal fired equipment for the automatic utilization of gaseous, liquid, and solid fuels. Products produced in this source category include low-pressure heating (steam or hot water) boilers, fireplace inserts, domestic (steam or hot water) furnaces, domestic gas burners, gas room heaters, gas infrared heating units, combination gas-oil burners, oil or gas swimming pool heaters, heating apparatus (except electric or warm air), kerosene space heaters, gas fireplace logs, domestic and industrial oil burners, radiators (except electric), galvanized iron nonferrous metal range boilers, room heaters (except electric), coke and gas burning salamanders, liquid or gas solar energy collectors, solar heaters, space heaters (except electric), mechanical (domestic and industrial) stokers, wood and coal-burning stoves, domestic unit heaters (except electric), and wall heaters (except electric).
Industrial Machinery and Equipment Finishing Operations	Establishments primarily engaged in construction machinery manufacturing; oil and gas field machinery manufacturing; and pumps and pumping equipment manufacturing. The construction machinery manufacturing industry sector of this source category includes establishments primarily engaged in manufacturing heavy machinery and equipment of types used primarily by the construction industries, such as bulldozers; concrete mixers; cranes, except industrial plant overhead and truck-type cranes; dredging machinery; pavers; and power shovels. Also establishments primarily engaged in manufacturing forestry

¹ EPA website link to Nine Metal Fabrication and Finishing Area Source Categories 40 CFR Part 63 Subpart XXXXXX: <https://www.ecfr.gov/current/title-40/chapter-I/subchapter-C/part-63/subpart-XXXXXX?toc=1>

	equipment and certain specialized equipment, not elsewhere classified, similar to that used by the construction industries, such as elevating platforms, ship cranes, and capstans, aerial work platforms, and automobile wrecker hoists. The oil and gas field machinery manufacturing industry sector of this source category includes establishments primarily engaged in manufacturing machinery and equipment for use in oil and gas fields or for drilling water wells, including portable drilling rigs. The pumps and pumping equipment manufacturing sector of this source category includes establishments primarily engaged in manufacturing pumps and pumping equipment for general industrial, commercial, or household use, except fluid power pumps and motors. This category includes establishments primarily engaged in manufacturing domestic water and sump pumps.
Iron and Steel Forging	Establishments primarily engaged in the forging manufacturing process, where purchased iron and steel metal is pressed, pounded or squeezed under great pressure into high strength parts known as forgings. The forging process is different from the casting and foundry processes, as metal used to make forged parts is never melted and poured.
Primary Metals Products Manufacturing	Establishments primarily engaged in manufacturing products such as fabricated wire products (except springs) made from purchased wire. These facilities also manufacture steel balls; nonferrous metal brads and nails; nonferrous metal spikes, staples, and tacks; and other primary metals products not elsewhere classified.
Valves and Pipe Fittings	Establishments primarily engaged in manufacturing metal valves and pipe fittings; flanges; unions, with the exception of purchased pipes; and other valves and pipe fittings not elsewhere classified.

Table 1 Nine Metal Fabrication and Finishing NESHAP Area Source Categories: Potential SIC/NAICS Codes (Q&A Table 1)²

	EPA Source Category	SIC Description	SIC Code	NAICS Code	NAICS Description
1	Electrical & Electronic Equipment Finishing Ops	Motors and Generators Manufacturing	3621	335312	Motor and Generator Manufacturing
		Electrical Machinery, Equipment, & Supplies, NEC	3699	335999	All Other Misc. Electrical Equipment & Component Mfg.
2	Fabricated Metal Products, NEC	Fabricated Metal Products, NEC	3499	332117	Powder Metallurgy Part Manufacturing
		Fabricated Metal Products, NEC	3499	332999	All Other Miscellaneous Fabricated Metal Product Mfg.
3	Fabricated Plate Work(Boiler Shops)	Fabricated Plate Work and Boiler Shops	3443	332313	Plate Work Manufacturing
				332410	Power Boiler and Heat Exchanger Manufacturing
				332420	Metal Tank (Heavy Gauge) Manufacturing
4	Fabricated Structural Metal Manufacturing	Fabricated Structural Metal Fabrication	3441	332312	Fabricated Structural Metal Manufacturing
5	Heating Equipment, except Electric	Heating Equipment, except electric	3433	333414	Heating Equipment (except Warm Air Furnaces) Mfg.
6	Industrial Machinery & Equipment: Finishing Ops	Construction Machinery Manufacturing	3531	333120	Construction Machinery Manufacturing
		Oil and Gas Field Machinery Equipment Mfg.	3533	333132	Oil and Gas Field Machinery and Equipment Mfg.
		Pumps and Pumping Equipment Mfg.	3561	333911	Pump and Pumping Equipment Manufacturing
7	Iron and Steel Forging	Iron and Steel Forging	3462	332111	Iron and Steel Forging
8	Primary Metals Products Manufacturing	Primary Metals Products Manufacturing	3399	332618	Other Fabricated Wire Product Manufacturing
9	Valves and Pipe Fittings, NEC	Valves and Pipe Fittings, NEC	3494	332919	Other Metal Valve and Pipe Fitting Manufacturing

² EPA website link to Nine Metal Fabrication and Finishing Area Source Categories 40 CFR Part 63 Subpart XXXXXX (6X) NESHAP Questions & Answers: <https://www.epa.gov/sites/default/files/2020-06/documents/qa-6x-9metal-fabricationfinishing-areaneshap-06-22-20.pdf>