

Information Administration,
Department of Energy, www.eia.gov).

I. National Technology Transfer Advancement Act

Section 12(d) of the National Technology Transfer and Advancement Act (NTTAA) of 1995, Public Law 104-113, section 12(d), (15 U.S.C. 272 note), directs the EPA to use voluntary consensus standards in their regulatory and procurement activities unless to do so would be inconsistent with applicable law or otherwise impractical. Voluntary consensus standards are technical standards (e.g., materials specifications, test methods, sampling procedures, and business practices) that are developed or adopted by one or more voluntary consensus bodies. The NTTAA directs the EPA to provide Congress, through annual reports to OMB, with explanations when an agency does not use available and applicable voluntary consensus standards.

The final rulemaking involves technical standards including EPA test methods 1, 1A, 2, 2A, 2C, 2D, 2F, 2G, 3, 3A, 3B, 4, 5A, 9, 10, 22, and 25A. Consistent with the NTTAA, the EPA conducted searches to identify voluntary consensus standards in addition to these EPA test methods. No applicable voluntary consensus standards were identified for EPA test methods 1A, 2A, 2D, 2F, 2G, 5A, 9, and 22.

The search for emissions measurement procedures identified 16 voluntary consensus standards potentially applicable to the final rule. Three of the voluntary consensus standards were not available at the time this review was conducted. For the remaining 13 standards identified for measuring emissions of the HAP or surrogates subject to emission standards in the final rule, we determined that they were impractical alternatives to EPA test methods for the purposes of the final rule. Therefore, the EPA does not intend to adopt these standards. The search and review methods can be found in docket A-95-32 (see **ADDRESSES** section of this preamble).

J. Congressional Review Act

The Congressional Review Act, 5 U.S.C. 801 *et seq.*, as added by the Small Business Regulatory Enforcement Fairness Act of 1996, generally provides that before a rule may take effect, the agency promulgating the rule must submit a rule report, which includes a copy of the rule, to each House of the Congress and to the Comptroller General of the United States. The EPA will submit a report containing the final rule

and other required information to the U.S. Senate, the U.S. House of Representatives, and the Comptroller General of the United States prior to publication of the rule in the **Federal Register**. This action is not a "major rule" as defined by 5 U.S.C. 804(2). The final rule will be effective on April 29, 2003.

List of Subjects in 40 CFR Part 63

Environmental protection, Administrative practice and procedure, Air pollution control, Hazardous substances, Intergovernmental relations, Reporting and recordkeeping requirements.

Dated: February 28, 2003.

Christie Todd Whitman,
Administrator.

■ For the reasons cited in the preamble, title 40, chapter I, part 63 of the Code of Federal Regulations is amended as follows:

PART 63—[AMENDED]

■ 1. The authority citation for part 63 continues to read as follows:

Authority : 42 U.S.C. 7401 *et seq.*

■ 2. Part 63 is amended by adding a new subpart LLLLL to read as follows:

Subpart LLLLL—National Emission Standards for Hazardous Air Pollutants: Asphalt Processing and Asphalt Roofing Manufacturing

Sec.

What This Subpart Covers

- 63.8680 What is the purpose of this subpart?
- 63.8681 Am I subject to this subpart?
- 63.8682 What parts of my plant does this subpart cover?
- 63.8683 When must I comply with this subpart?

Emission Limitations

- 63.8684 What emission limitations must I meet?

General Compliance Requirements

- 63.8685 What are my general requirements for complying with this subpart?

Testing and Initial Compliance Requirements

- 63.8686 By what date must I conduct performance tests or other initial compliance demonstrations?
- 63.8687 What performance tests, design evaluations, and other procedures must I use?
- 63.8688 What are my monitoring installation, operation, and maintenance requirements?
- 63.8689 How do I demonstrate initial compliance with the emission limitations?

Continuous Compliance Requirements

- 63.8690 How do I monitor and collect data to demonstrate continuous compliance?
- 63.8691 How do I demonstrate continuous compliance with the operating limits?

Notifications, Reports, and Records

- 63.8692 What notifications must I submit and when?
- 63.8693 What reports must I submit and when?
- 63.8694 What records must I keep?
- 63.8695 In what form and how long must I keep my records?

Other Requirements and Information

- 63.8696 What parts of the General Provisions apply to me?
- 63.8697 Who implements and enforces this subpart?
- 63.8698 What definitions apply to this subpart?

Tables to Subpart LLLLL of Part 63

- Table 1 to Subpart LLLLL of Part 63—Emission Limitations
- Table 2 to Subpart LLLLL of Part 63—Operating Limits
- Table 3 to Subpart LLLLL of Part 63—Requirements for Performance Tests
- Table 4 to Subpart LLLLL of Part 63—Initial Compliance With Emission Limitations
- Table 5 to Subpart LLLLL of Part 63—Continuous Compliance with Operating Limits
- Table 6 to Subpart LLLLL of Part 63—Requirements for Reports
- Table 7 to Subpart LLLLL of Part 63—Applicability of General Provisions to Subpart LLLLL

Subpart LLLLL—National Emission Standards for Hazardous Air Pollutants: Asphalt Processing and Asphalt Roofing Manufacturing

What This Subpart Covers

§ 63.8680 What is the purpose of this subpart?

This subpart establishes national emission standards for hazardous air pollutants (NESHAP) for existing and new asphalt processing and asphalt roofing manufacturing facilities. This subpart also establishes requirements to demonstrate initial and continuous compliance with the emission limitations.

§ 63.8681 Am I subject to this subpart?

(a) You are subject to this subpart if you own or operate an asphalt processing facility or an asphalt roofing manufacturing facility, as defined in § 63.8698, that is a major source of hazardous air pollutants (HAP) emissions, or is located at, or is part of a major source of HAP emissions.

(b) After the applicable compliance date specified in § 63.8683, blowing stills, asphalt storage tanks, saturators, wet loopers, and coaters subject to the provisions of this subpart that are also