

Response: The EPA agrees that it is not necessary to require performance tests to be completed 60 days prior to the rule compliance date since this would effectively require that facilities be in compliance before the compliance date specified in the final rule. Consequently, the final rule (§ 63.8686(a)) has been written to be consistent with the NESHAP General Provisions (performance tests must be conducted within 180 days after the compliance date).

F. Monitoring Requirements

Comment: Comments were received on a variety of monitoring requirements. The changes made to the proposed monitoring requirements are discussed in the following paragraphs.

Response: Many facilities in the asphalt processing and asphalt roofing manufacturing industry use analog chart recorders to display and record monitored parameters. However, when these devices are used, the value of the monitored parameters is generally not recorded electronically. Parameter values therefore cannot be automatically averaged and compared to the established range to determine if there has been a parameter deviation. Such a determination would have to be made through manual calculations. One commenter suggested that chart recorders could more easily be used for monitoring if manual calculations of 3-hour averages were not required and deviations were based on 15-minute exceedances of limits. Because the commenter's suggestion is more stringent than the requirements in the proposed rule, the EPA has decided that this is an acceptable alternative for determining continuous compliance. Therefore, the final rule was written to allow facilities the option of demonstrating continuous compliance using either a 15-minute or 3-hour averaging period.

For example, if a facility uses an analog chart recorder that provides a continuous record of the combustion device operating temperature on a strip chart, the facility would be allowed to determine compliance with the NESHAP by comparing the minimum temperature reading for each 15-minute period to the minimum 15-minute value established during the initial performance test (*i.e.*, the facility would not be required to manually average the readings on the strip chart over a 3-hour period to determine compliance with the standards).

Comment: One commenter asserted that facilities should be allowed to use CEMS and COMS to demonstrate

continuous compliance with the standards.

Response: The proposed rule did not preclude facilities from using CEMS and COMS, and it was not EPA's intent to discourage facilities from using CEMS and COMS where feasible and beneficial to them. However, continuous monitoring is not required for the opacity standard, even though the opacity standard applies at all times (*i.e.*, EPA test method 9 could be used at any time by the regulating agency to determine compliance with the opacity standard). To allow you to use continuous monitors without first obtaining the approval from the Administrator to use an alternative monitoring procedure, the list of acceptable monitoring systems in the final rule has been written to include CEMS (and COMS) and their applicable performance specifications from 40 CFR part 60 Appendix B.

Comment: One commenter suggested that the EPA modify the proposed rule so that a facility using an ESP as a PM control device could select which parameters are appropriate for demonstrating compliance and have those parameters approved by the EPA in the same manner as "other" control devices.

Response: The EPA agrees with the commenter that ESP operate differently from filter-type PM control devices, and that parameters other than pressure drop could be used to show proper ESP operation. For these reasons, an alternative has been provided in the final rule to allow facilities using an ESP to monitor the voltage going to the ESP instead of the pressure drop across the device. The voltage going to the ESP is a direct measure of the strength of the corona field responsible for ionizing PM as it passes through the ESP. The value or range of ESP voltage must be determined during the performance test.

G. Overlap With Other Rules

Comment: One commenter stated that the rule should be clarified so that asphalt flux and oxidized asphalt storage tanks already regulated under another MACT rule (for example, the petroleum refinery NESHAP) are not further regulated under the asphalt NESHAP.

Response: The EPA recognizes that asphalt storage vessels subject to the asphalt NESHAP could also be subject to other regulations, such as the petroleum refinery NESHAP (40 CFR part 63, subpart CC) and the storage vessel NSPS (40 CFR part 60, subpart K, Ka, or Kb). Consequently, EPA is providing in the final rule that the NESHAP does not apply to any

equipment that is subject to the petroleum refinery NESHAP or to subpart K, Ka, or Kb of part 60 since the requirements specified in those rules for the types of storage tanks used in this industry (fixed roof tanks) are as stringent as the standards in the asphalt processing and asphalt roofing manufacturing NESHAP.

The EPA also recognizes that storage tanks (and blowing stills, saturators, wet loopers, and coaters) at asphalt processing and asphalt roofing manufacturing facilities could be subject to both the asphalt NESHAP and the asphalt NSPS. In cases where the rule requirements overlap, the asphalt rule specifies that facilities are required to comply only with the asphalt NESHAP. However, any storage tank with a capacity less than 1.93 mg that is subject to the asphalt NSPS but not regulated under the asphalt NESHAP must comply with the asphalt NSPS.

IV. Summary of Environmental, Energy and Economic Impacts

Although MACT floors must be based exclusively on the emission limitation achieved by the requisite percentage of best-performing similar sources (or, for new sources, the best-performing source), the EPA has compiled information on air quality impacts, costs, non-air quality impacts, and energy impacts in compliance with Executive Orders. We estimate the final rule will affect a total of 19 existing facilities (ten asphalt processing and asphalt roofing facilities and nine petroleum refineries). We estimated the number of major sources by estimating potential emissions using emission factors and available production data. We identified major facilities only for the purposes of estimating potential emissions, emission reductions, control costs, and monitoring, recordkeeping, and reporting costs. It should be noted that facilities may not necessarily be major sources for the purposes of determining applicability of the final rule because they were identified as major by our estimates. Likewise, facilities would not be relieved from complying with the final rule because they were not identified as major sources in our estimates.

A. What Are the Air Quality Impacts?

Baseline HAP emissions from the asphalt processing and asphalt roofing manufacturing facilities that are projected to be subject to the final rule are estimated to be 295 Mg/yr (325 tpy). Baseline THC emissions are estimated to be 550 Mg/yr (605 tpy). The baseline emission estimates were developed using equipment, control device, and