

$E_{hap}$  is the monthly total emissions of all hazardous air pollutants regulated by the Act that are emitted by the facility (tons/month);

$E_x$  is the monthly emissions of each hazardous air pollutant regulated by the Act (tons/month) as calculated in I.A.2.b.(1);  $x$  identifies each HAP emitted from the facility. (s. NR 407.09(4)(a)1., Wis. Adm. Code)

(10) To demonstrate compliance with condition I.A.2.a.(2), the permittee shall calculate the total emissions of *all* hazardous air pollutants regulated by the Act over each 12 consecutive month period by summing the monthly emissions of all hazardous air pollutants regulated by the Act as calculated in I.A.2.b.(3) for each consecutive 12-month period. This calculation shall be performed within 15 calendar days of the end of each month for the previous 12 consecutive month period. (s. NR 407.09(4)(a)1., Wis. Adm. Code)

(11) The permittee shall use coating manufacturer's formulation data to determine the HAP content ( $H_n$ ) of the inks, coatings, solvents or other HAP containing materials used. (s. NR 439.04(1)(d), Wis. Adm. Code)

(12) The permittee shall analyze the spent ink, coating, solvent and other HAP containing material recovered and shipped off site to determine the HAP content ( $H$ ) no less than: (a) each time there is a substantial change to materials or process operations that may affect the characteristics of the waste stream; or (b) quarterly, whichever is more frequent. (s. NR 439.04(1)(d), Wis. Adm. Code)

(13) The permittee shall keep records of the following for each ink, coating, solvent, or other HAP containing material used at the facility:

(a) A unique name or identification number; and

(b) The weight fraction of each HAP contained in the material ( $H_n$ ). (s. NR 439.04(1)(d), Wis. Adm. Code)

(14) The permittee shall keep monthly records of:

(a) The amount of each ink, coating, solvent, or other HAP containing material used in gallons per month ( $U_n$ );

(b) The density of each ink, coating, solvent, or other HAP containing material used in pounds per gallon ( $W_n$ );

(c) The amount of spent ink, coating, solvent, or other HAP containing material recovered and shipped off site in gallons per month ( $S_m$ );

(d) The amount of each HAP contained in each spent ink, coating, solvent or other HAP containing material recovered and shipped off site in pounds per gallon ( $L_m$ );

(e) The facility total monthly emissions of each HAP in tons per month ( $E_x$ ), as calculated in I.A.2.b.(1);

(f) The total monthly HAP emissions from the facility in tons per month ( $E_{hap}$ ), as calculated in I.A.2.b.(3);

(g) The facility total emissions of each HAP in tons per year as calculated in I.A.2.b.(2).

(h) The total HAP emissions from the facility in tons per year as calculated in I.A.2.b.(4). (s. NR 439.04(1)(d), Wis. Adm. Code)

(15) Report actual facility wide volatile organic compound and hazardous air pollutant emissions as follows:

(a) The permittee shall submit a report summarizing the actual, facility wide volatile organic compound and hazardous air pollutant emissions for each consecutive 12-month period as calculated in conditions I.A.1.b.(2) and I.A.2.b.(2) and (4), every 6 months.

(b) The period addressed by the report shall be the 6 month period starting on the date the Cooperative Agreement is signed or other date agreed upon and approved by WDNR, EPA and the permittee, and each subsequent 6 month period thereafter.

(c) A copy of the report shall be submitted to the WDNR (Marty Sellers, Air Management Engineer, Department of Natural Resources, 3550 Mormon Coulee Road, La Crosse, WI 54601) and the U.S. EPA (Steve Rothblatt, Branch Chief, Air Program Branch, U.S. EPA, 77 W. Jackson Blvd., Mailcode: (AR-18)), Chicago, IL 60604) within 20 days following the end of the reporting period.

(d) If the report shows the actual facility wide volatile organic compound or hazardous air pollutant emissions have exceeded 50 percent of the allowable limitations outlined in conditions I.A.1.a and I.A.2.a.(1) and (2), the permittee shall provide an explanation why emissions reached the levels that they did and how they intend to ensure emissions will not exceed the allowable limitations outlined in conditions I.A.1.a. and I.A.2.a.(1) and (2). (s. NR 439.03(1)(a), Wis. Adm. Code)

#### Administrative Review

The EPA is publishing this SIP revision approval without prior proposal, because EPA views this as a noncontroversial revision and anticipates no adverse comments. However, in a separate document in this **Federal Register** publication, EPA is proposing to approve the SIP revision should adverse written comments be filed. The approval of this SIP revision will be effective without further notice unless EPA receives relevant adverse

written comments by February 24, 2003. Should EPA receive such comment, we will publish a final rule informing the public that this action will not take effect. Any parties interested in commenting on this action should do so at this time. If we do not receive comments, this action will be effective on March 25, 2003.

Under Executive Order 12866 (58 FR 51735, October 4, 1993), this action is not a "significant regulatory action" and therefore is not subject to review by the Office of Management and Budget. For this reason, this action is also not subject to Executive Order 13211, "Actions Concerning Regulations That Significantly Affect Energy Supply, Distribution, or Use" (66 FR 28355, May 22, 2001). This action merely approves state law as meeting federal requirements and imposes no additional requirements beyond those imposed by state law. Accordingly, the Administrator certifies that this rule will not have a significant economic impact on a substantial number or small entities under the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*). Because this rule approves pre-existing requirements under state law and does not impose any additional enforceable duty beyond that required by state law, it does not contain an unfunded mandate nor does it significantly or uniquely affect small governments, as described in the Unfunded Mandates Reform Act of 1995 (Pub. L. 104-4).

This rule does not have tribal implications, because it will not have a substantial direct effect on one or more Indian tribes, or on the relationship between the federal government and Indian tribes, or on the distribution of power and responsibilities between the federal government and Indian tribes, as specified by Executive Order 13175 (65 FR 67249, November 9, 2000). This action also does not have Federalism implications, because it does not have substantial direct effects on the states, or the relationship between the national government and the states, or on the distribution of power and responsibilities among the various levels of government, as specified in Executive Order 13132 (64 FR 43255, August 10, 1999). This action merely approves a state rule implementing a federal standard, and does not alter the relationship or the distribution of power and responsibilities established in the Act. Executive Order 13045 "Protection of Children from Environmental Health Risks and Safety Risks" (62 FR 19855, April 23, 1997), applies to any rule that is both economically significant, as defined under Executive Order 12866, and concerns an environmental health