

written to expressly state that you may approve alternative practices.

We have rewritten these work practice standards, where possible, to specifically state that you have the authority to approve equivalent or more stringent alternative compliance assurance measures. The sections containing these requirements are not listed as authorities retained by us in the implementation and enforcement section. These kinds of changes are necessary only for a small number of subparts.

B. What Clarifications Have We Made to Individual Subparts?

We did not receive any public comments concerning proposed changes to 37 of the subparts we included in the September 2000 proposal notice. However, upon closer review of the proposed changes, we determined that we had inadvertently and inconsistently delegated some of the standards we should have reserved to the Administrator's authority. For those subparts for which we received no public comments and which were correctly proposed, we have promulgated the final NESHAP amendments as proposed. Following is a list of the unchanged subparts:

- Subpart F, Synthetic Organic Chemical Manufacturing Industry
- Subpart I, HON for Certain Processes Subject to the Negotiated Regulation for Equipment Leaks
- Subpart M, National Perchloroethylene Air Emission Standards for Dry Cleaning Facilities
- Subpart O, Ethylene Oxide Emissions Standards for Sterilization Facilities
- Subpart Q, National Emission Standards for Hazardous Air Pollutants for Industrial Process Cooling Towers
- Subpart U, National Emission Standards for Hazardous Air Pollutant Emissions: Group I Polymers and Resins
- Subpart Y, National Emission Standards for Marine Tank Vessel Loading Operations
- Subpart AA, National Emission Standards for Hazardous Air Pollutants from Phosphoric Acid Manufacturing Plants
- Subpart BB, National Emission Standards for Hazardous Air Pollutants from Phosphate Fertilizers Production Plants
- Subpart CC, National Emission Standards for Hazardous Air Pollutants from Petroleum Refineries
- Subpart EE, National Emission Standards for Magnetic Tape Manufacturing Operations

- Subpart II, National Emission Standards for Shipbuilding and Ship Repair (Surface Coating)
- Subpart OO, National Emission Standards for Tanks—Level 1
- Subpart PP, National Emission Standards for Containers
- Subpart QQ, National Emission Standards for Surface Impoundments
- Subpart RR, National Emission Standards for Individual Drain Systems
- Subpart GGG, National Emission Standards for Pharmaceuticals Production
- Subpart JJJ, National Emission Standards for Hazardous Air Pollutant Emissions: Group IV Polymers and Resins
- Subpart OOO, National Emission Standards for Hazardous Air Pollutants for Amino/Phenolic Resins Production
- Subpart PPP, National Emission Standards for Hazardous Air Pollutant Emissions for Polyether Polyols Production
- Subpart XXX, National Emission Standards for Hazardous Air Pollutants for Ferroalloys Production: Ferromanganese and Silicomanganese

The first correction we must make to the proposal package is to ensure that we consistently reserve the requirements in each of the NESHAP that establish the compliance dates for all new, reconstructed, and existing sources that are subject to the applicable subparts. Upon review of the proposal package, we determined that we did not consistently reserve these requirements, which was an error because they are integral to the overall standards and cannot be delegated. Following is a list of the subparts we need to modify to ensure that the compliance date of the applicable requirements are reserved. Also included is the notation for the compliance date requirements paragraphs and/or sections that are affected by this correction to the proposed amendments.

- Subpart N, chromium electroplating (§ 63.343(a))
- Subpart W, epoxy resins and non-nylon polyamides (§ 63.521)
- Subpart X, secondary lead smelting (§ 63.546)
- Subpart LL, primary aluminum production plants (§ 63.847(a))
- Subpart CCC, steel pickling (§ 63.1160(a))
- Subpart DDD, mineral wool production (§ 63.1180)
- Subpart EEE, hazardous waste combustors (§ 63.1206(a))
- Subpart III, flexible polyurethane foam production (§ 63.1291)
- Subpart LLL, portland cement (§ 63.1351)
- Subpart MMM, pesticide active ingredient production (§ 63.1364)

- Subpart NNN, wool fiberglass manufacturing (§ 63.1387)
- Subpart RRR, secondary aluminum production (§ 63.1501)
- Subpart TTT, primary lead smelting (§ 63.1545)
- Subpart VVV, publically owned treatment works (§§ 63.1584 and 63.1587).

The second correction we must make to the proposal package is to ensure that we reserve all of the relevant standards in each of the applicable subparts. Upon closer review of the proposal package, we determined that we did not reserve all of the so-called “general requirements” sections that we should have. In some cases it was appropriate to delegate these sections, because even though the title indicated they were “standards” the content of the sections was clearly related to delegable provisions such as various reporting and recordkeeping requirements. For example, in subpart CC (petroleum refineries), § 63.642, general standards, we correctly retained §§ 63.642(g) through (l). These paragraphs require the following:

- Requires existing sources to control HAP emissions to a level represented by a specified equation;
- Requires new sources to control HAP emissions to a level represented by a specified equation;
- Directs source to use specified compliance provisions;
- Describes compliance approach;
- Describes emissions averaging approach. Note, however, that we correctly delegated §§ 63.642(a) through (f) that describe the following requirements:

- Source must obtain a part 70/71 permit;
 - Cross references General Provisions applicability table;
 - Initial performance tests and compliance demonstrations required only as specified in this subpart;
 - Recordkeeping requirements;
 - Reports sent to Administrator.
- However, in other subparts, we inadvertently delegated some “general standards” requirements. We have corrected this error in today's final rule. The affected subparts and the now-retained general standards requirements are listed below:

- Subpart DD, offsite waste (§ 63.683);
- Subpart HH, oil and natural gas production facilities (§ 63.764);
- Subpart KK, printing and publishing (§ 63.823);
- Subpart HHH, natural gas transmission and storage facilities (§ 63.1274);
- Subpart LLL, portland cement manufacturing (§ 63.1342).