

includes specified information and how that plan is implemented is a work practice standard, we agree with the commenter that the authority to request revisions to the plan and approve changes is delegable and is best conducted by the S/L/T. Therefore, we have revised §§ 63.306(a) and (d) to clarify that these activities may be conducted by the Administrator or the delegated permitting authority.

4. Subpart R, National Emission Standards for Gasoline Distribution Facilities (Bulk Gasoline Terminals and Pipeline Breakout Stations)

*Proposed Rule.* To clarify which authorities are delegated, we replaced the delegation provisions' language with the "Implementation and enforcement" section. This section indicates that delegation of authority to approve alternatives cannot be given to S/L/Ts for the requirements in §§ 63.420 and 63.422 through 63.424. These sections contain the applicability provisions and emissions standards for loading racks, storage vessels, and equipment leaks.

To retain the intent of the original delegation provisions, the revised delegation section also retains delegation of the authority to approve major alternatives to the monitoring specified in § 63.427(a)(1) through (4) per § 63.427(a)(5), which contains provisions for monitoring an alternative operating parameter. To retain the intent of the original language of § 63.426, the revised delegation paragraph cross-references that section for procedures to follow in requesting an alternative means of emission limitation for storage vessels.

*Public Comments.* We received one public comment concerning the proposed changes to this subpart. The commenter asked that S/L/Ts be granted the authority to approve alternative monitoring frequencies based on the compliance history of the source under § 63.423(c) (this requirement is actually promulgated in § 63.424(a)), described as requiring monthly leak inspections for all equipment in gasoline service at gasoline terminals or pipeline breakout stations. The paragraph also says that for these inspections, detection methods incorporating sight, sound, and smell are acceptable. The commenter added that S/L/Ts should be allowed to approve an alternative leak detection method, in their example, the use of a hydrocarbon analyzer.

*Final Rule.* Our proposal was consistent with our view that the leak detection and repair requirements in § 63.424 constitute an integrated program and that changes to any part of the program could change the

effectiveness of the entire program. Therefore, we have not changed the delegation requirements in subpart R.

5. Subpart S, National Emission Standards for Hazardous Air Pollutants From the Pulp and Paper Industry

*Proposed Rule.* In order to separate delegable authorities from non-delegable standards, we removed the monitoring and recording authorities from § 63.450(d)(1) (the Standards for enclosures and closed-vent systems section) and placed them in § 63.454(e), "Recordkeeping requirements." We also added a reference in § 63.450(d)(1) that the provisions of § 63.454(e) must be followed.

To clarify which authorities are delegated, we replaced the delegation provisions' language with the "Implementation and enforcement" section. This section indicates that delegation of authority to approve alternatives cannot be given to S/L/Ts for the requirements in §§ 63.440, 63.443 through 63.447, and 63.450. These sections contain the applicability provisions and the emissions standards for pulping systems, bleaching systems, kraft pulping process condensates, clean condensate alternatives, and enclosures and closed-vent systems. This subpart also requires that provisions of another subpart be followed. In the implementation and enforcement language, we have clarified that delegation of those requirements will occur according to the delegation provisions of the subpart that is referenced.

*Public Comments.* We received one comment regarding the proposed revisions to this subpart. The commenter stated that "State and local agencies should not have to seek individual approvals for the same alternatives." The commenter also said that if several facilities make the same request for alternative monitoring, EPA would still have to approve each individually.

*Final Rule.* The commenter's assessment that EPA still must approve each request for alternative monitoring individually is correct, if the alternative monitoring request is for a major change to monitoring. The S/L/Ts have the authority to approve alternatives to monitoring if the alternatives are considered minor or intermediate. See definitions of minor, intermediate, and major changes to monitoring in § 63.90.

The commenter is also correct that the approvals must be made on individual sources and not for more than one source per approval, unless the S/L/T chooses to approve the changes using the subpart E equivalency by permit

mechanism; see § 63.94. The purpose of the delegable authorities is to approve alternatives on a case-by-case basis; the circumstances being particular to one source. Conversely, to approve alternative monitoring requirements for more than one source, a S/L/T should use a 40 CFR part 63, subpart E approval mechanism, such as a rule adjustment or rule substitution; §§ 63.92 or 63.93 respectively. Subpart E approval usually requires rulemaking (with public comment), which is required for changes to more than one source in a source category.

6. Subpart T, National Emission Standards for Halogenated Solvent Cleaning

*Proposed Rule.* We amended § 63.460 by removing and reserving paragraph (f). We restructured the work practices in § 63.462 and created paragraph § 63.462(e) to give S/L/Ts greater flexibility to approve alternatives that will continue to meet the intent of the standard. In addition, we amended § 63.463(e)(2)(ix)(B) to restructure the recordkeeping requirements to make it easier to delegate them.

To clarify which authorities are delegated, we added the "Implementation and enforcement" section in a new section, § 63.470. This section indicates that delegation of authority to approve alternatives cannot be given to S/L/Ts for the requirements in §§ 63.460, 63.462(a) through (d), and 63.463 through 63.464.

Section 63.469 describes procedures that must be followed to request the use of alternative equipment or an alternative work practice. Section 63.460(f) also retains the delegation of §§ 63.469 and 63.463(d)(9) to the Administrator. The delegation provisions added in § 63.470 cross-reference § 63.469 for procedures to follow in requesting an alternative means of emission limitation.

*Public Comment.* We received two comments regarding the proposed revisions to this subpart. One comment requested that S/L/Ts be delegated the authority to approve alternatives to § 63.463(d)(1), which generally requires sources to control air disturbances across the cleaning machine opening(s). The commenter added that this requirement is extremely vague. We also received a comment requesting us to delegate to S/L/Ts the authority to approve alternatives to § 63.463(d)(9), the requirement that each solvent cleaning machine and associated controls be maintained according to manufacturer's specifications.

*Final Rule.* We do not agree with the comment regarding § 63.463(d)(1), the