

one MACT standard, where completion of a successful compliance determination for one standard meets the compliance determination requirements of the other MACT standards where the control device controls similar HAP. Other commenters suggested that we allow compliance demonstrations for combined streams similar to the provisions under the Generic MACT for the Polycarbonate Production source category (40 CFR part 63, subpart YY), and add a definition of "combined vent stream" based on the definition in 40 CFR 63.1101 (subpart YY).

Response: The final rule clarifies requirements for combined streams in a manner similar to that described in § 63.982(f), but extends these requirements to deal with batch process vents and wastewater vent streams. For a combined stream, if any of the continuous process vent streams within the aggregated stream would be Group 1 by themselves and the batch streams are not Group 1, then the provisions of subpart SS may be followed in demonstrating 98 percent control of the combined aggregate stream. If a combined stream contains Group 1 batch process vents, then the initial compliance provisions for batch process vents must be followed in demonstrating 98 percent control of the combined aggregate stream. Also, the final rule does not allow an option to raise the TRE above 1.0 using a recovery device.

Subpart SS requires that the performance test be conducted at maximum representative operating conditions and only over the batch emission episodes that result in the highest organic HAP emission rate that is achievable during the 6-month period that begins 3 months before and ends 3 months after the compliance assessment. In contrast, the initial compliance provisions for batch process vents provided in the proposed rule would require that the test be conducted at worst-case conditions. For industries where products and operations remain fairly constant, there should be no significant difference between the "worst-case conditions" described by the batch process vent initial compliance provisions and the "maximum representative" conditions required by subpart SS. However, for control devices that might see a wide variability of products and emission stream characteristics, such as those in the miscellaneous organic chemical manufacturing industry, the test required by subpart SS may not be representative at a later date when products have changed. Therefore,

compliance with the batch testing provisions is a more comprehensive requirement, and we are inclined to retain it under most circumstances. However, in cases where the combined stream includes Group 2 batch process vents and no Group 1 batch process vents, we agree that owners and operators should be allowed to follow the compliance demonstration requirements of subpart SS.

A second issue occurs when combining streams changes the characteristics of the aggregate stream such that less emission reduction may occur. Because control requirements are 98 percent under both the batch provisions and continuous (subpart SS) provisions, this is not an issue for streams routed to control devices. However, for recovery devices, there are differences between meeting 95 percent recovery under the batch process vent provisions and meeting a TRE index under subpart SS. For example, the overall required emission reductions could be lessened by combining a number of low-concentration batch streams, that would not trigger control under the batch requirements, with a rich continuous stream that would require significant control or recovery of material by itself, which would raise the outlet TRE value at the outlet of the recovery device and allow use of an ineffective recovery device and no further control. Similarly, emission reductions could be lessened by aggregating rich batch vents (with uncontrolled emissions of greater than 10,000 lb/yr) with continuous vents and allowing less than 95 percent control by meeting the TRE. In either case, the use of a recovery device to raise the TRE index above 1.0 could result in actual emissions above the level required had the streams not been aggregated and, therefore, we are not allowing this option. Thus, all Group 1/Group 2 determinations for vent streams must be made prior to aggregation and prior to any recovery device.

K. Ongoing Compliance

Comment: One commenter requested that the monitoring provisions be modeled after 40 CFR part 63, subpart SS, for continuous vents, and that we establish a similar cost-effective level for batch process vents. Another commenter stated that the requirements for continuous parameter monitoring systems (CPMS) are more fully and correctly covered in subpart SS and that the periodic verification requirements of § 63.2470(f) are duplicative of title V, wasteful, and unnecessary.

Response: We decided to streamline the compliance procedures and promote

consistency among rules by referencing subpart SS in its entirety for most of the monitoring requirements. For batch process vents, however, we retained some additional monitoring provisions from the proposed rule that are based on requirements in subpart GGG (the Pharmaceuticals Production NESHAP). One of these provisions allows the owner or operator to set monitoring parameter values (*i.e.*, operating limits) at levels other than what were obtained from the performance test.

A second provision consistent with subpart GGG is the "periodic verification" procedure for control devices with inlet HAP emissions less than 1 tpy (§ 63.2460(c)(5) in the final rule). We do not agree with the suggestion that title V periodic monitoring requirements are duplicative for control devices with less than 1 tpy HAP load. The title V periodic monitoring requirements in 40 CFR 70.6(a)(3)(i)(B) apply only where an underlying applicable requirement such as NESHAP require no monitoring of a periodic nature. Thus, the title V periodic monitoring requirements will not apply where the monitoring requirements of subpart FFFF do apply.

A third provision based on subpart GGG is the option to establish averaging periods over either an operating block or an operating day. This provision may be useful if each batch is not always completed within an operating day or when an owner or operator elects to set multiple operating limits for different emission episodes.

Comment: One commenter stated that the proposed monitoring and reporting requirements do not meet the enhanced monitoring requirements as set forth in section 114(a)(3) of the CAA and, therefore, are "arbitrary and capricious." The commenter indicated that some sources are exempted from "any truly effective monitoring strategy" and that "sources with greatest HAP emissions, which fall outside the MACT floor due to size, have loosest monitoring requirements."

Response: We disagree with the commenter's assertions. The final rule, like the proposed rule, requires monitoring of all control devices. To minimize the burden on small operations (*e.g.*, small control devices controlling batch process vents), the monitoring requirements differ for lower-emitting sources; however, these sources are not "sources with the greatest HAP emissions." In addition, § 63.2525(e) of the final rule requires recordkeeping of emission points that fall outside of the MACT threshold for control to be sure that these points remain below the threshold.