

compound(s) not listed in section 1.1 of ASTM D6420–99, and not amenable to detection by mass spectrometry, ASTM D6420–99 does not apply.

As a result, EPA cites ASTM D6420–99 in subpart FFFF of part 63. The EPA also cites Method 18 as a gas chromatography (GC) option in addition to ASTM D6420–99. This will allow the continued use of GC configurations other than GC/MS.

Some EPA testing methods and performance standards are specified in §§ 63.2450(g) and 63.2485(h) of subpart FFFF. Subpart FFFF also references EPA testing methods specified in 40 CFR part 63, subparts G and SS. Most of the standards have been used by States and industry for more than 10 years. Nevertheless, under § 63.7(f), the final rule also allows any State or source to apply to EPA for permission to use an alternative method in place of any of the EPA testing methods or performance standards listed in the NESHAP.

#### *J. Congressional Review Act*

The Congressional Review Act, 5 U.S.C. 801 *et seq.*, as added by the Small Business Regulatory Enforcement Act of 1996, generally provides that before a rule may take effect, the agency promulgating the rule must submit a rule report, which includes a copy of the rule, to each House of the Congress and to the Comptroller General of the United States. The EPA will submit a report containing this rule and other required information to the U.S. Senate, the U.S. House of Representatives, and the Comptroller General of the United States prior to publication of the rule in the **Federal Register**. This rule is not a “major rule” as defined by 5 U.S.C. 804(2).

#### **List of Subjects in 40 CFR Part 63**

Environmental protection, Administrative practice and procedure, Air pollution control, Hazardous substances, Intergovernmental relations, Reporting and recordkeeping requirements.

Dated: August 25, 2003.

**Marianne Lamont Horinko**,  
*Acting Administrator.*

■ For the reasons stated in the preamble, title 40, chapter I, part 63 of the Code of the Federal Regulations is amended as follows:

#### **PART 63—[AMENDED]**

■ 1. The authority citation for part 63 continues to read as follows:

**Authority:** 42 U.S.C. 7401, *et seq.*

■ 2. Part 63 is amended by adding a new subpart FFFF to read as follows:

#### **Subpart FFFF—National Emission Standards for Hazardous Air Pollutants: Miscellaneous Organic Chemical Manufacturing**

Sec.

##### **What This Subpart Covers**

63.2430 What is the purpose of this subpart?

63.2435 Am I subject to the requirements in this subpart?

63.2440 What parts of my plant does this subpart cover?

##### **Compliance Dates**

63.2445 When do I have to comply with this subpart?

##### **Emission Limits, Work Practice Standards, and Compliance Requirements**

63.2450 What are my general requirements for complying with this subpart?

63.2455 What requirements must I meet for continuous process vents?

63.2460 What requirements must I meet for batch process vents?

63.2465 What requirements must I meet for process vents that emit hydrogen halide and halogen HAP or PM HAP?

63.2470 What requirements must I meet for storage tanks?

63.2475 What requirements must I meet for transfer racks?

63.2480 What requirements must I meet for equipment leaks?

63.2485 What requirements must I meet for wastewater streams and liquid streams in open systems within an MCPU?

63.2490 What requirements must I meet for heat exchange systems?

##### **Alternative Means of Compliance**

63.2495 How do I comply with the pollution prevention standard?

63.2500 How do I comply with emissions averaging?

63.2505 How do I comply with the alternative standard?

##### **Notifications, Reports, and Records**

63.2515 What notifications must I submit and when?

63.2520 What reports must I submit and when?

63.2525 What records must I keep?

##### **Other Requirements and Information**

63.2535 What compliance options do I have if part of my plant is subject to both this subpart and another subpart?

63.2540 What parts of the General Provisions apply to me?

63.2545 Who implements and enforces this subpart?

63.2550 What definitions apply to this subpart?

##### **Tables to Subpart FFFF of Part 63**

Table 1 to Subpart FFFF of Part 63—Emission Limits and Work Practice Standards for Continuous Process Vents

Table 2 to Subpart FFFF of Part 63—Emission Limits and Work Practice Standards for Batch Process Vents

Table 3 to Subpart FFFF of Part 63—Emission Limits for Hydrogen Halide and

Halogen HAP Emissions or PM HAP Emissions from Process Vents

Table 4 to Subpart FFFF of Part 63—Emission Limits for Storage Tanks

Table 5 to Subpart FFFF of Part 63—Emission Limits and Work Practice Standards for Transfer Racks

Table 6 to Subpart FFFF of Part 63—Requirements for Equipment Leaks

Table 7 to Subpart FFFF of Part 63—Requirements for Wastewater Streams and Liquid Streams in Open Systems Within an MCPU

Table 8 to Subpart FFFF of Part 63—Partially Soluble Hazardous Air Pollutants

Table 9 to Subpart FFFF of Part 63—Soluble Hazardous Air Pollutants

Table 10 to Subpart FFFF of Part 63—Requirements for Heat Exchange Systems

Table 11 to Subpart FFFF of Part 63—Requirements for Reports

Table 12 to Subpart FFFF of Part 63—Applicability of General Provisions (Subpart A) to Subpart FFFF of Part 63

#### **What This Subpart Covers**

##### **§ 63.2430 What is the purpose of this subpart?**

This subpart establishes national emission standards for hazardous air pollutants (NESHAP) for miscellaneous organic chemical manufacturing. This subpart also establishes requirements to demonstrate initial and continuous compliance with the emission limits, operating limits, and work practice standards.

##### **§ 63.2435 Am I subject to the requirements in this subpart?**

(a) You are subject to the requirements in this subpart if you own or operate miscellaneous organic chemical manufacturing process units (MCPU) that are located at, or are part of, a major source of hazardous air pollutants (HAP) emissions as defined in section 112(a) of the Clean Air Act (CAA).

(b) An MCPU includes equipment necessary to operate a miscellaneous organic chemical manufacturing process, as defined in § 63.2550, that satisfies all of the conditions specified in paragraphs (b)(1) through (3) of this section. An MCPU also includes any assigned storage tanks and product transfer racks; equipment in open systems that is used to convey or store water having the same concentration and flow characteristics as wastewater; and components such as pumps, compressors, agitators, pressure relief devices, sampling connection systems, open-ended valves or lines, valves, connectors, and instrumentation systems that are used to manufacture any material or family of materials described in paragraphs (b)(1)(i) through (v) of this section.