

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 HHHHH 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 § 63.8000(d)(1) of subpart HHHHH. 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 the final 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**. The final 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 29, 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 HHHHH to read as follows:

Subpart HHHHH—National Emission Standards for Hazardous Air Pollutants: Miscellaneous Coating Manufacturing

Sec.

What this Subpart Covers

- 63.7980 What is the purpose of this subpart?
- 63.7985 Am I subject to the requirements in this subpart?
- 63.7990 What parts of my plant does this subpart cover?

Compliance Dates

- 63.7995 When do I have to comply with this subpart?

Emission Limits, Work Practice Standards, and Compliance Requirements

- 63.8000 What are my general requirements for complying with this subpart?
- 63.8005 What requirements apply to my process vessels?
- 63.8010 What requirements apply to my storage tanks?
- 63.8015 What requirements apply to my equipment leaks?
- 63.8020 What requirements apply to my wastewater streams?
- 63.8025 What requirements apply to my transfer operations?
- 63.8030 What requirements apply to my heat exchange systems?

Alternative Means of Compliance

- 63.8050 How do I comply with emissions averaging for stationary process vessels at existing sources?
- 63.8055 How do I comply with a weight percent HAP limit in coating products?

Notifications, Reports, and Records

- 63.8070 What notifications must I submit and when?
- 63.8075 What reports must I submit and when?
- 63.8080 What records must I keep?

Other Requirements and Information

- 63.8090 What compliance options do I have if part of my plant is subject to both this subpart and another subpart?
- 63.8095 What parts of the General Provisions apply to me?
- 63.8100 Who implements and enforces this subpart?
- 63.8105 What definitions apply to this subpart?

Tables to Subpart HHHHH of Part 63

- Table 1 to Subpart HHHHH of Part 63—Emission Limits and Work Practice Standards for Process Vessels
- Table 2 to Subpart HHHHH of Part 63—Emission Limits and Work Practice Standards for Storage Tanks
- Table 3 to Subpart HHHHH of Part 63—Requirements for Equipment Leaks
- Table 4 to Subpart HHHHH of Part 63—Emission Limits and Work Practice Standards for Wastewater Streams
- Table 5 to Subpart HHHHH of Part 63—Emission Limits and Work Practice Standards for Transfer Operations

- Table 6 to Subpart HHHHH of Part 63—Requirements for Heat Exchange Systems
- Table 7 to Subpart HHHHH of Part 63—Partially Soluble Hazardous Air Pollutants
- Table 8 to Subpart HHHHH of Part 63—Soluble Hazardous Air Pollutants
- Table 9 to Subpart HHHHH of Part 63—Requirements for Reports
- Table 10 to Subpart HHHHH of Part 63—Applicability of General Provisions to Subpart HHHHH

Subpart HHHHH—National Emission Standards for Hazardous Air Pollutants: Miscellaneous Coating Manufacturing

What This Subpart Covers

§ 63.7980 What is the purpose of this subpart?

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

§ 63.7985 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 coating manufacturing operations, as defined in paragraph (b) of this section, that meet the conditions specified in paragraphs (a)(1) through (4) of this section.

(1) 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).

(2) Manufacture coatings as defined in § 63.8105.

(3) Process, use, or produce HAP.

(4) Are not part of an affected source under another subpart of this part 63.

(b) Miscellaneous coating manufacturing operations include the facilitywide collection of equipment described in paragraphs (b)(1) through (4) of this section that is used to manufacture coatings as defined in § 63.8105. Miscellaneous coating manufacturing operations also include cleaning operations.

(1) Process vessels.

(2) Storage tanks for feedstocks and products.

(3) Components such as pumps, compressors, agitators, pressure relief devices, sampling connection systems, open-ended valves or lines, valves, connectors, and instrumentation systems.

(4) Wastewater tanks and transfer racks.

(c) If the predominant use of a transfer rack loading arm or storage tank