

final rule temporarily suspends certain regulatory requirements. Accordingly, the requirements of section 3(b) of Executive Order 13084 do not apply to this rule.

I. Congressional Review Act

Under the Small Business Regulatory Enforcement Fairness Act of 1996, we submitted a report containing these final amendments and other required information to the U.S. Senate, the U.S. House of Representatives, and the Comptroller General of the General Accounting Office prior to publication of these final amendments in the **Federal Register**. This is not a "major rule" as defined by the Small Business Regulatory Enforcement Fairness Act.

List of Subjects in 40 CFR Part 63

Environmental protection, Air pollution control, Ethylene oxide sterilization, Hazardous substances, Reporting and recordkeeping requirements.

Dated: November 29, 1999.

Carol M. Browner,
Administrator.

For the reasons set out in the preamble, title 40, chapter I, of the Code of 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.*

Subpart O—[Amended]

2. Section 63.360 is amended by revising paragraphs (g)(4), (g)(5), and (g)(6) and adding paragraphs (g)(7), (g)(8), (g)(9), and (g)(10) to read as follows:

§ 63.360 Applicability.

* * * * *

(g) * * *

(4) All aeration room vents subject to the emissions standards in § 63.362 with an initial startup date before December 6, 2000, no later than December 6, 2000.

(5) All aeration room vents subject to the emissions standards in § 63.362 with an initial startup date on or after December 6, 2000, immediately upon initial startup of the source.

(6) All aeration room vents at sources using less than 10 tons that increase

their ethylene oxide usage after December 6, 2000, such that the aeration room vents become subject to the emissions standards in § 63.362, immediately upon becoming subject to the emission standards.

(7) All chamber exhaust vents subject to the emissions standards in § 63.362 with an initial startup date before December 6, 2001, no later than December 6, 2001.

(8) All chamber exhaust vents subject to the emissions standards in § 63.362 with an initial startup date on or after December 6, 2001, immediately upon initial startup of the source.

(9) All chamber exhaust vents at sources using less than 1 ton that increase their ethylene oxide usage after December 6, 2001, such that the chamber exhaust vents become subject to the emissions standards in § 63.362, immediately upon becoming subject to the emission standards.

(10) All chamber exhaust vents at sources using less than 10 tons that increase their ethylene oxide usage after December 6, 2001, such that the chamber exhaust vents become subject to the emissions standards in § 63.362(e)(1), immediately upon becoming subject to the emission standards.

* * * * *

[FR Doc. 99-31354 Filed 12-2-99; 8:45 am]

BILLING CODE 6560-50-P

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 63

[AD-FRL-6500-1]

National Emission Standards for Hazardous Air Pollutants: Halogenated Solvent Cleaning

AGENCY: Environmental Protection Agency (EPA).

ACTION: Final rule; amendments.

SUMMARY: This action promulgates amendments to the "National Emission Standards for Hazardous Air Pollutants: Halogenated Solvent Cleaning" originally promulgated on December 2, 1994. These amendments to the rule were proposed on August 19, 1999. Today's action finalizes compliance options for continuous web cleaning machines, as well as amendments to the

national emission standards for hazardous air pollutants (NESHAP) that apply to steam-heated vapor cleaning machines and to cleaning machines used to clean transformers. The EPA is finalizing these amendments to ensure that all owners or operators of solvent cleaning machines have appropriate and attainable requirements for their cleaning machines.

EFFECTIVE DATE: December 3, 1999.

ADDRESSES: Interested parties may review items used to support these final rule amendments at: Air and Radiation Docket and Information Center (6102), Attention Docket Number A-92-39, Room M-1500, U.S. Environmental Protection Agency, 401 M Street, SW, Washington, DC 20460.

FOR FURTHER INFORMATION CONTACT: For information concerning the standards, contact Mr. Paul Almodovar, Coatings and Consumer Products Group, Emission Standards Division (MD-13), U.S. Environmental Protection Agency, Research Triangle Park, North Carolina 27711, telephone number (919) 541-0283. For information regarding the applicability of this action to a particular entity, contact Ms. Acquanetta Delaney, Manufacturing Branch, Office of Compliance (2223A), U.S. Environmental Protection Agency, 401 M Street, SW, Washington, DC 20460; telephone (202) 564-7061.

SUPPLEMENTARY INFORMATION:

Docket

The docket number for this rulemaking is A-92-39. The docket is an organized file of information compiled by the EPA in the development of this rulemaking. The docket is a dynamic file because material is added throughout the rulemaking development. The docketing system is intended to allow members of the public and industries involved to readily identify and locate documents so that they can effectively participate in the rulemaking process. Along with the proposed and promulgated standards and their preambles, the docket contains the record in the case of judicial review. (See section 307(d)(7)(A) of the Clean Air Act.)

Regulated Entities

The following entities are potentially regulated by this final rule.

Category	SIC Codes	Examples of potentially regulated entities
Industry	33, 34, 36, and 37	Facilities engaging in cleaning operations using halogenated solvent cleaning machines.

This list is not intended to be exhaustive, but rather provides a guide for readers regarding entities likely to be affected by this action. This list includes the types of entities that the EPA is now aware could potentially be regulated by this action. Other types of entities not listed could also be affected. To determine whether your facility or company is regulated by this final rule, you should carefully examine the applicability criteria in § 63.460 of the promulgated rule. If you have any questions regarding the applicability of this final rule to a particular entity, consult the person listed in the preceding **FOR FURTHER INFORMATION CONTACT** section.

The information presented in this preamble is organized as follows:

- I. Background
 - A. Why is EPA amending the NESHAP for halogenated solvent cleaning?
 - B. What is the purpose of these final rule amendments?
 - C. What changes have been made since the August 19, 1999 proposed amendments?
 - D. Do the changes in today's final rule amendments apply to my machines?
- II. Review of Requirements for Continuous Web Cleaning Machines
 - A. How do I know if my machine is a continuous web cleaning machine?
 - B. How will these changes impact my continuous web cleaning machines?
 - C. How do I know if my machine is a "new" or an "existing" continuous web cleaning machine?
 - D. When must I comply with these new requirements?
- III. Other Changes
 - A. What change is EPA making that applies to my transformer cleaning operations?
 - B. What changes impact my steam-heated vapor cleaning machines?
- IV. Impacts
- V. Administrative Requirements
 - A. Executive Order 12866: Regulatory Planning and Review
 - B. Executive Order 13132: Federalism
 - C. Executive Order 13084: Consultation and Coordination with Indian Tribal Governments
 - D. Unfunded Mandates Reform Act
 - E. Regulatory Flexibility/Small Business Regulatory Enforcement Fairness Act
 - F. Paperwork Reduction Act
 - G. Executive Order 13045: Protection of Children from Environmental Health Risks and Safety Risks
 - H. Congressional Review Act
 - I. National Technology Transfer and Advancement Act

I. Background

A. Why Is EPA Amending the NESHAP for Halogenated Solvent Cleaning?

The EPA promulgated the halogenated solvent cleaning (HSC) NESHAP on December 2, 1994, as subpart T of 40 CFR part 63 (59 FR 61801). That rule included requirements

for batch and in-line cleaning machines and both control device and work practice requirements. A batch cleaning machine is defined in the HSC NESHAP as "a solvent cleaning machine in which individual parts or sets of parts move through the entire cleaning cycle before new parts are introduced." Inherent in some of the requirements is the understanding that the part or set of parts stops at one or various points in the machine for cleaning and for removal of cleaned parts. In contrast, an in-line cleaning machine (or continuous cleaning machine) is defined in the HSC NESHAP as "a solvent cleaning machine that uses an automated parts handling system, typically a conveyor, to automatically provide a continuous supply of parts to be cleaned."

After promulgation, several industry groups raised concerns about how some cleaning machines would be classified under the rule. These commenters stated that some machines did not clearly and completely fit into any of the categories of cleaning machines included in the HSC NESHAP. The machines in question included movie film cleaning machines and machines used to clean strips, rods, and wire.

After some review, the EPA concluded that these issues warranted additional consideration. On May 5, 1998 (63 FR 24768), the EPA issued an immediate stay of compliance for the continuous web cleaning machines until August 3, 1998. In that same action, the EPA proposed to extend the compliance date for these units for an additional year, to August 3, 1999, to allow for an equivalency determination. The EPA received comments on the proposed extension. One commenter expressed concern that the 1-year extension may not be sufficient time to review the data, complete the technical analysis, propose and promulgate an equivalency determination, and allow sufficient time for facilities to comply with the new requirements. The EPA recognized these concerns and on December 11, 1998 (63 FR 68397) extended the compliance date for continuous web cleaning machines to December 2, 1999.

On August 19, 1999, EPA published a direct final rule (64 FR 45187) and parallel proposal (64 FR 45221) to amend the "National Emission Standards for Hazardous Air Pollutants: Halogenated Solvent Cleaning." The proposed amendments would have provided additional compliance options for continuous web cleaning machines, as well as clarifications that apply to steam-heated vapor cleaning machines and to cleaning machines used to clean transformers.

The EPA stated in the direct final rule that if relevant, adverse comments were received by September 20, 1999, the EPA would publish a notice withdrawing the direct final rule before its effective date of October 18, 1999. The EPA received adverse comments on the direct final rule from two commenters on September 20, 1999 and, therefore, withdrew the direct final rule on October 18, 1999 (64 FR 56173). Today's final rule amendments are based on the public comments received on the proposed amendments.

B. What Is the Purpose of These Final Rule Amendments?

This final rule does two things. First, it promulgates alternative compliance requirements for continuous web cleaning machines consistent with the August 19, 1999 proposal (64 FR 45221). A continuous web cleaning machine is a cleaning machine that cleans a continuous web part at speeds typically in excess of 11 feet per minute. Changes to the rule impacting continuous web cleaning machines are discussed in section II.A of this final rule. Second, this final rule promulgates two minor changes, discussed in section III.B, that impact cleaning machines other than continuous web cleaning machines.

C. What Changes Have Been Made Since the August 19, 1999 Proposed Amendments?

The EPA has made several changes and clarifications to the amendments proposed on August 19, 1999 (64 FR 45221) in response to the public comments that were received. A full discussion of the comments and the EPA responses is included in the docket for this rulemaking. Following is a summary of the major changes that have been made to the proposed amendments.

1. Clarification of Requirements for Remote Reservoir Continuous Web Cleaning Machines

The EPA has clarified that the owner or operator of a remote reservoir continuous web cleaning machine is not required to comply with freeboard refrigerated device requirements or freeboard ratio requirements. The EPA concluded that these requirements are redundant to the emission reductions obtained from the remote reservoir design. Upon further review, the EPA concluded that a separate section devoted to remote reservoir continuous web cleaning machines was warranted to ensure the requirements applicable to these machines were clear; these requirements were added as § 63.463(h).

2. Equivalent Requirements for Complying With Downtime and Idling Mode Covers

The EPA has added equivalent requirements for covers during idling and downtime. These equivalent requirements include the ability to consider the continuous web part itself as a port cover if it fills the entry and exit port, thereby achieving the same control as a port cover. Also, a machine kept under negative pressure and vented to an appropriately maintained and operated carbon adsorption system is equivalent to maximum achievable control technology (MACT) and is now allowed under this rule.

3. Addition of an Alternative Standard for Continuous Web Cleaning Machines

The EPA has added an alternative standard for continuous web cleaning machines based on the calculation of an overall cleaning system control efficiency. This approach was recommended by a commenter and reviewed and accepted by the EPA.

4. Addition of Combined Squeegee and Air Knife System

Under the proposed amendments to the NESHAP, EPA allowed for the use of either a squeegee system or an air knife system. The EPA has clarified that a system that combines squeegees and air knives is allowed as long as the components are within a single enclosure. The visible emission test is not required until after the web part exits the combined system.

In addition to these changes, EPA wishes to clarify that there are four different compliance options that refer to carbon adsorber requirements for continuous web cleaning machines:

a. Under § 63.463(g)(1), a carbon adsorber system is allowed in the control device combinations for existing and new machines. The owners or operators of these machines must demonstrate that the exhaust concentration limit of 100 parts per million is maintained using the provisions of § 63.463(e)(2)(vii). The owners or operators must still demonstrate compliance with the work practice requirements and the basic design requirements contained in the rule.

b. Under § 63.463(g)(2), a carbon adsorption system with an overall control efficiency of 70 percent is allowed in lieu of complying with one of the control combinations cited above. The owners or operators of these machines are not required to demonstrate the 100 parts per million limit; the owners or operators must

work with their regulating authority to define the appropriate monitoring parameters to demonstrate the 70 percent control. In addition, the owners or operators must demonstrate compliance with the work practice requirements and the basic design requirements contained in the rule.

c. Under § 63.463(g)(3)(vii) or § 63.463(h)(2)(v), any facility with a lip or other exhaust within a machine must ensure that the exhaust is vented to a carbon adsorber system. The carbon adsorber system can be shown to meet either the 100 parts per million exhaust limit of § 63.463(e)(2)(vii) or the 70 percent carbon adsorber system efficiency of § 63.463(g)(2).

d. Under the new alternative standard of § 63.464(d), an owner or operator may elect to use a carbon adsorber system (or any other emission control system) to demonstrate compliance with the overall solvent cleaning machine reduction efficiency of 70 percent. A facility complying with this option is not subject to the work practice or basic design requirements, which includes the squeegee and air knife requirements.

The EPA would also like to clarify that under the HSC NESHAP, emissions from multiple solvent cleaning machines are allowed to be controlled using a single carbon adsorber. In this situation, the affected source would need to develop and get approval from the regulatory authority of a procedure to apportion the solvent recovered by the carbon adsorber to each machine venting through it. A likely procedure would apportion the solvent recovered from the carbon adsorber based on the percentage of total fresh solvent added to each solvent cleaning machine.

D. Do the Changes in Today's Final Rule Amendments Apply to My Machines?

Today's final rule amendments only apply to you if your machines meet any of the following criteria:

1. Halogenated solvent cleaning machines that are classified as continuous web cleaning machines. (Changes impacting these machines are discussed in section II.B.)

2. Halogenated solvent cleaning machines that are used to clean polychlorinated biphenyl (PCB) laden transformers. (A change impacting these machines is discussed in section III.A.)

3. Halogenated solvent cleaning machines that are steam-heated vapor cleaning machines. (The definition of continuous web cleaning machines and a change impacting these machines is discussed in section II.B.)

II. Review of Requirements for Continuous Web Cleaning Machines

This section discusses changes made to the HSC NESHAP proposed amendments published on August 19, 1999 (64 FR 45221).

A. How Do I Know if My Machine Is a Continuous Web Cleaning Machine?

A continuous web cleaning machine is a solvent cleaning machine in which parts such as film, coils, wire, and metal strips are cleaned at speeds typically in excess of 11 feet per minute. Parts are generally uncoiled, cleaned such that the same part is simultaneously entering and exiting the solvent application area of the solvent cleaning machine, and then recoiled or cut. For the purposes of subpart T to 40 CFR part 63, all continuous web cleaning machines are considered to be a subset of in-line solvent cleaning machines. These units tend to be used in two distinct areas: movie film cleaning and continuous strip, wire, or rod cleaning.

Movie Film Cleaning

The movie film cleaning industry typically uses a continuous web cleaning machine to clean the surfaces on large reels of film. Typically, a reel is loaded onto the machine and the film threaded through a series of rollers. The film is then either fed into a vat or past a series of spray nozzles that apply the chlorinated solvent onto the film. The film is then dried using air jets, cloth pads, or a combination of both.

Strip, Rod, or Wire Cleaning

This group of continuous web cleaning machines cleans a more diverse product group, including large flat pieces of metal, metal rods, and thin wires. The machines can be dip tanks, spray applications, or a combination. While the EPA has currently only identified continuous web cleaning machines used to clean metal products, these machines may clean nonmetal products which would also be covered by the HSC NESHAP. The EPA considered both of the above types of continuous web cleaning machines when developing the changes discussed today.

B. How Will These Changes Impact My Continuous Web Cleaning Machines?

The changes will enable you to comply with all of the requirements of the HSC NESHAP. The options are similar to the options for other in-line cleaning machines. The final rule amendments provide for emission controls equivalent to existing requirements codified at 40 CFR part 63, subpart T, and include new equivalent

controls for certain cleaning machines and clarifications of the EPA's interpretation of existing requirements germane to continuous web cleaning machines. The changes account for the inherent differences between the solvent cleaning machines that were the basis for the HSC NESHAP promulgated in 1994 and continuous web cleaning machines. The changes to the rule that apply only to continuous web cleaning machines are:

1. An alternative to the requirement for a maximum parts speed of 11 feet per minute and the requirement for a dwell time in some options. You are not required to meet the speed and dwell time requirements if your continuous web cleaning machine meets other specific requirements. These requirements include a properly designed, operated, and maintained system to eliminate visible carry out of solvent on your continuous web product. In addition, you must comply with the monitoring, recordkeeping, and reporting requirements for the controls that replace the hoist speed and dwell requirements.

2. A change in the alternative for continuous web cleaning machines venting to a carbon adsorber. A properly designed and operated continuous web cleaning machine can comply with the new or existing source requirements by venting the exhaust from the enclosed cleaning chamber through a properly operated and maintained carbon adsorption system instead of one of the equipment combinations listed in the HSC NESHAP. However, the system used must be demonstrated to the Administrator's satisfaction to achieve an overall solvent control efficiency of 70 percent.

3. A clarification that there is no freeboard ratio requirement and freeboard refrigeration device requirement if your continuous web cleaning machine does not have an exposed sump. That is, if your continuous web cleaning machine has a remote reservoir, no freeboard ratio and freeboard refrigeration device requirements apply. Requirements for remote reservoir continuous web cleaning machines have been included in a new paragraph that has been added to § 63.463 of the rule.

4. A clarification that the ban on the cleaning of absorbent materials does not apply to cloth rollers used in the cleaning process inside your machine. However, you do have requirements that apply when you remove these rollers from the machine.

5. A clarification on the interpretation of superheated vapor technology for continuous web cleaning machines. The

new interpretation allows for any technology that raises the continuous web part above the boiling point of the solvent. A new term, superheated part technology, has been added to the rule to more clearly address this situation. Therefore, as with the HSC NESHAP promulgated in 1994, your specific compliance options in the amended HSC NESHAP depend on whether your cleaning machines are considered to be new or existing.

C. How Do I Know if My Machine Is a "New" or an "Existing" Continuous Web Cleaning Machine?

Machines are classified as either new or existing based on the date of construction. Continuous web cleaning machines on which construction started before November 29, 1993, the date the HSC NESHAP was proposed, are existing affected sources. Machines upon which construction started on November 29, 1993 or later are new affected sources.

D. When Must I Comply With These New Requirements?

You must comply with these requirements by December 2, 1999 for both your new and existing affected sources. This date was established in a **Federal Register** final rule published on December 11, 1998 (63 FR 68397).

III. Other Changes

A. What Change Is EPA Making That Applies to My Transformer Cleaning Operations?

The EPA has recently become aware of a potential conflict between the HSC NESHAP and some specific Toxic Substances Control Act (TSCA) permits. Some facilities clean transformers contaminated with PCBs using batch cold halogenated solvent cleaning machines. The cleaning of these PCB-laden transformers is covered under TSCA permits, which include requirements to ensure proper draining and proper disposal of all materials. These transformers often include absorbent materials (*i.e.*, cardboard). The HSC NESHAP requirements for cold cleaning machines state that "Sponges, fabric, wood, and paper shall not be cleaned." (§ 63.462(c)(8)).

It is not EPA's intent to prohibit the proper decontamination operation for PCB-laden transformers. The intent of this requirement in the HSC NESHAP is to reduce the amount of solvent loss due to improper cleaning of absorbent materials, such as rags and cloths. The EPA has reviewed the requirements in an example permit of a facility conducting decontamination of these

transformers and concluded that TSCA permits should adequately ensure that the intent of the HSC NESHAP is met for these operations. For example, these permits have sufficient requirements for proper draining and disposal of the transformers. Therefore, EPA is adding an exclusion for cleaning absorbent materials in PCB-laden transformers, in compliance with a permit issued under TSCA, in the final rule.

B. What Changes Impact My Steam-Heated Vapor Cleaning Machines?

Steam-heated vapor cleaning machines will no longer be required to have a device that shuts off the sump heat if the liquid level drops to the sump heater coils (§ 63.463(a)(4)). This requirement was included in the HSC NESHAP for all machines. However, since the promulgation of the HSC NESHAP, EPA has determined that this device is not necessary for steam-heated machines because these machines are not able to heat the solvent to a temperature above the decomposition temperatures of any of the regulated halogenated solvents.

IV. Impacts

The changes contained in these final rule amendments are corrections, clarifications, and equivalent compliance alternatives and do not change the intended coverage of the HSC NESHAP (subpart T). These changes will not affect the estimated emission reductions or the control costs for these rules. These clarifications and corrections should make it easier for owners and operators of affected sources, and for local and State authorities, to understand and implement the requirements in subpart T. The equivalent compliance alternatives will make it possible for owners and operators of continuous web cleaning machines to comply with all requirements of subpart T.

V. Administrative Requirements

A. Executive Order 12866: Regulatory Planning and Review

Under Executive Order 12866 (58 FR 51735, October 4, 1993), the EPA must submit significant regulatory actions to the Office of Management and Budget (OMB) for review. The Executive Order defines "significant regulatory action" as one that OMB determines is likely to result in a rule that may:

(1) Have an annual effect on the economy of \$100 million or more or adversely affect in a material way the economy, a sector of the economy, productivity, competition, jobs, the environment, public health or safety, or

State, local, or tribal governments or communities;

(2) create a serious inconsistency or otherwise interfere with an action taken or planned by another agency;

(3) materially alter the budgetary impact of entitlements, grants, user fees, or loan programs, or the rights and obligations of recipients thereof; or

(4) raise novel legal or policy issues arising out of legal mandates, the President's priorities, or the principles set forth in the Executive Order.

It has been determined that this final rule does not qualify as a "significant regulatory action" under the terms of Executive Order 12866 and, therefore, is not subject to review by OMB.

B. Executive Order 13132: (Federalism)

Executive Order 13132, entitled Federalism (64 FR 43255, August 10, 1999), requires EPA to develop an accountable process to ensure "meaningful and timely input by State and local officials in the development of regulatory policies that have federalism implications." "Policies that have federalism implications is defined in the Executive Order to include regulations that have substantial direct effects on the States, on the relationship between the national government and the States, or on the distribution of power and responsibilities among the various levels of government." Under Executive Order 13132, EPA may not issue a regulation that has federalism implications, that imposes substantial direct compliance costs, and that is not required by statute, unless the Federal government provides the funds necessary to pay the direct compliance costs incurred by State and local governments, or EPA consults with State and local officials early in the process of developing the proposed regulation. The EPA also may not issue a regulation that has federalism implications and that preempts State law unless the Agency consults with State and local officials early in the process of developing the proposed regulation.

If EPA complies by consulting, Executive Order 13132 requires EPA to provide to OMB, in a separately identified section of the preamble to the rule, a federalism summary impact statement (FSIS). The FSIS must include a description of the extent of EPA's prior consultation with State and local officials, a summary of the nature of their concerns and the Agency's position supporting the need to issue the regulation, and a statement of the extent to which the concerns of State and local officials have been met. Also, when EPA transmits a draft final rule

with federalism implications to OMB for review pursuant to Executive Order 12866, EPA must include a certification from the Agency's Federalism Official stating that EPA has met the requirements of Executive Order 13132 in a meaningful and timely manner.

This final rule will not have substantial direct effects on the States, on the relationship between the national government and the States, or on the distribution of power and responsibilities among the various levels of government, as specified in Executive Order 13132. This final rule only provides amendments to ensure that all owners or operators of solvent cleaning machines have appropriate and attainable requirements for their cleaning machines. Thus, the requirements of section 6 of the Executive Order do not apply to this rule.

C. Executive Order 13084: Consultation and Coordination With Indian Tribal Governments

Under Executive Order 13084, the EPA may not issue a regulation that is not required by statute, that significantly or uniquely affects the communities of Indian tribal governments, and that imposes substantial direct compliance costs on those communities unless the Federal government provides the funds necessary to pay the direct compliance costs incurred by the tribal governments or the EPA consults with those governments. If the EPA complies by consulting, Executive Order 13084 requires the EPA to provide to OMB, in a separately identified section of the preamble to the rule, a description of the extent of the EPA's prior consultation with representatives of affected tribal governments, a summary of the nature of their concerns, and a statement supporting the need to issue the regulation. In addition, Executive Order 13084 requires the EPA to develop an effective process permitting elected officials and other representatives of Indian tribal governments "to provide meaningful and timely input in the development of regulatory policies on matters that significantly or uniquely affect their communities."

These final rule amendments do not impose any duties or compliance costs on Indian tribal governments. Further, the final rule amendments provided herein do not significantly alter the control standards imposed by the HSC NESHAP for any source, including any that may affect communities of the Indian tribal governments. Hence, today's final rule amendments do not

significantly or uniquely affect the communities of Indian tribal governments. Accordingly, the requirements of section 3(b) of Executive Order 13084 do not apply.

D. Unfunded Mandates Reform Act

Title II of the Unfunded Mandates Reform Act (UMRA) of 1995, Pub. L. No. 104-4, establishes requirements for Federal agencies to assess the effects of their regulatory actions on State, local, and tribal governments and the private sector. Under section 202 of the UMRA, the EPA generally must prepare a written statement, including a cost-benefit analysis, for proposed and final rules with "Federal mandates" that may result in expenditures to State, local, and tribal governments, in the aggregate, or to the private sector, of \$100 million or more in any 1 year. Before promulgating an EPA rule for which a written statement is needed, section 205 of the UMRA generally requires the EPA to identify and consider a reasonable number of regulatory alternatives and adopt the least costly, most cost-effective, or least burdensome alternative that achieves the objectives of the rule. The provisions of section 205 do not apply when they are inconsistent with applicable law. Moreover, section 205 allows the EPA to adopt an alternative other than the least costly, most cost-effective, or least burdensome alternative if the Administrator publishes with the final rule an explanation why that alternative was not adopted. Before the EPA establishes any regulatory requirements that may significantly or uniquely affect small governments, including tribal governments, it must have developed under section 203 of the UMRA a small government agency plan. The plan must provide for notifying potentially affected small governments, enabling officials of affected small governments to have meaningful and timely input in the development of the EPA regulatory proposals with significant Federal intergovernmental mandates, and informing, educating, and advising small governments on compliance with the regulatory requirements.

The EPA has determined that these final rule amendments do not include a Federal mandate that may result in estimated costs of \$100 million or more to either State, local, or tribal governments in the aggregate or to the private sector in any 1 year, and that these final rule amendments do not significantly or uniquely impact small governments, because they contain no requirements that apply to such governments or impose obligations upon them. The EPA has not prepared

a budgetary impact statement or specifically addressed the selection of the least costly, most cost-effective, or least burdensome alternative. In addition, because small governments will not be significantly or uniquely affected by these final rule amendments, the EPA is not required to develop a plan with regard to small governments. Therefore, the requirements of the UMRA do not apply.

E. Regulatory Flexibility/Small Business Regulatory Enforcement Fairness Act

The Regulatory Flexibility Act of 1980 (5 U.S.C. 601, *et seq.*), as amended by the Small Business Regulatory Enforcement Fairness Act (SBREFA) of 1996, requires the EPA to give special consideration to the effect of Federal regulations on small entities and to consider regulatory options that might mitigate any such impacts. The EPA must prepare a regulatory flexibility analysis unless the EPA certifies that the rule will not have a "significant impact on a substantial number of small entities." Small entities include small businesses, small not-for-profit enterprises, and small government jurisdictions.

These final rule amendments would not have a significant impact on a substantial number of small entities because they clarify and make corrections to the promulgated HSC NESHAP, but impose no additional regulatory requirements on owners or operators of affected sources.

F. Paperwork Reduction Act

The information collection request (ICR) was submitted to the OMB under the *Paperwork Reduction Act* (44 U.S.C. 3501, *et seq.*) at the time this rule was originally promulgated. These final rule amendments to the HSC NESHAP will have no impact on the information collection burden estimates made previously. Therefore, the ICR has not been revised.

G. Executive Order 13045: Protection of Children from Environmental Health Risks and Safety Risks

Executive Order 13045, "Protection of Children from Environmental Health Risks and Safety Risks" (62 FR 19885, April 23, 1997), applies to any rule that (1) is determined to be "economically significant" as defined under Executive Order 12866, and (2) concerns an environmental health or safety risk that the EPA has reason to believe may have a disproportionate effect on children. If the regulatory action meets both criteria, the EPA must evaluate the environmental health or safety effects of the planned rule on children, and

explain why the planned regulation is preferable to other potentially effective and reasonably feasible alternatives considered by the EPA.

The EPA interprets Executive Order 13045 as applying only to those regulatory actions that are based on health or safety risks, so that the analysis required under section 5-501 of the Executive Order has the potential to influence the regulation. These final rule amendments are not subject to Executive Order 13045 because they are not an "economically significant" regulatory action as defined by Executive Order 12866 and are based on technology performance rather than health or risks that may disproportionately affect children.

H. Congressional Review Act

The Congressional Review Act, 5 U.S.C. 801, *et seq.*, as added by the SBREFA 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 direct final rule and other required information to the United States Senate, the United States House of Representatives, and the Comptroller General of the United States prior to publication of this final rule in the **Federal Register**. A major rule cannot take effect until 60 days after it is published in the **Federal Register**. These final amendments are not a "major rule" as defined by 5 U.S.C. 804(2).

I. National Technology Transfer and Advancement Act

Section 12(d) of the National Technology Transfer and Advancement Act (NTTAA) of 1995, Public Law 104-113, Section 12(d) (15 U.S.C. 272 note), directs the EPA to use voluntary consensus standards in its regulatory activities unless to do so would be inconsistent with applicable law or otherwise impractical. Voluntary consensus standards are technical standards (e.g., materials specifications, test methods, sampling procedures, business practices, etc.) that are developed or adopted by one or more voluntary consensus standards bodies. The NTTAA requires the EPA to provide Congress, through OMB, with explanations when the EPA decides not to use available and applicable voluntary consensus standards. This action does not involve the proposal of any new technical standards.

As part of a larger effort, the EPA is undertaking a project to cross-reference existing voluntary consensus standards on testing, sampling, and analysis with current and future EPA test methods. When completed, this project will assist the EPA in identifying potentially applicable voluntary consensus standards which can then be evaluated for equivalency and applicability in determining compliance with future regulations.

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: November 29, 1999.

Carol M. Browner,
Administrator.

For the reasons set out in the preamble, part 63, title 40, chapter I of the Code of Federal Regulations is amended as follows.

PART 63—[AMENDED]

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

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

Subpart T—National Emission Standards for Halogenated Solvent Cleaning

2. Section 63.461 is amended by adding, in alphabetical order, definitions for "Air knife system," "Combined squeegee and air knife system," "Remote reservoir continuous web cleaning machine," "Squeegee system," and "Superheated part technology," and by revising the definition of "Continuous web cleaning machine" to read as follows:

§ 63.461 Definitions.

* * * * *

Air knife system means a device that directs forced air at high pressure, high volume, or a combination of high pressure and high volume, through a small opening directly at the surface of a continuous web part. The purpose of this system is to remove the solvent film from the surfaces of the continuous web part.

* * * * *

Combined squeegee and air-knife system means a system consisting of a combination of a squeegee system and an air-knife system within a single enclosure.

* * * * *

Continuous web cleaning machine means a solvent cleaning machine in

which parts such as film, coils, wire, and metal strips are cleaned at speeds typically in excess of 11 feet per minute. Parts are generally uncoiled, cleaned such that the same part is simultaneously entering and exiting the solvent application area of the solvent cleaning machine, and then recoiled or cut. For the purposes of this subpart, all continuous web cleaning machines are considered to be a subset of in-line solvent cleaning machines.

* * * * *

Remote reservoir continuous web cleaning machine means a continuous web cleaning machine in which there is no exposed solvent sump. In these units, the solvent is pumped from an enclosed chamber and is typically applied to the continuous web part through a nozzle or series of nozzles. The solvent then drains from the part and is collected and recycled through the machine, allowing no solvent to pool in the work or cleaning area.

* * * * *

Squeegee system means a system that uses a series of pliable surfaces to remove the solvent film from the surfaces of the continuous web part. These pliable surfaces, called squeegees, are typically made of rubber or plastic media, and need to be periodically replaced to ensure continued proper function.

* * * * *

Superheated part technology means a system that is part of the continuous web process that heats the continuous web part either directly or indirectly to a temperature above the boiling point of the cleaning solvent. This could include a process step, such as a tooling die that heats the part as it is processed, as long as the part remains superheated through the cleaning machine.

* * * * *

3. Section 63.462 is amended by revising paragraph (c) introductory text, paragraph (c)(8), and adding paragraph (c)(9) to read as follows:

§ 63.462 Batch cold cleaning machine standards.

* * * * *

(c) Each owner or operator of a batch cold solvent cleaning machine complying with paragraph (a)(2) or (b) of this section shall comply with the work and operational practice requirements specified in paragraphs (c)(1) through (c)(9) of this section as applicable.

* * * * *

(8) Except as provided in paragraph (c)(9) of this section, sponges, fabric, wood, and paper products shall not be cleaned.

(9) The prohibition in paragraph (c)(8) of this section does not apply to the cleaning of porous materials that are part of polychlorinated biphenyl (PCB) laden transformers if those transformers are handled throughout the cleaning process and disposed of in compliance with an approved PCB disposal permit issued in accordance with the Toxic Substances Control Act.

* * * * *

4. Section 63.463 is amended by:

a. Revising paragraph (a) introductory text;

b. Revising paragraph (c) introductory text;

c. Revising paragraph (d) introductory text;

d. Revising paragraph (e) introductory text and paragraph (e)(2) introductory text;

e. Adding paragraphs (e)(2)(viii) through (xi); and

f. Adding paragraphs (g) and (h).

The revisions and additions read as follows:

§ 63.463 Batch vapor and in-line cleaning machine standards.

(a) Except as provided in § 63.464 for all cleaning machines, each owner or operator of a solvent cleaning machine subject to the provisions of this subpart shall ensure that each existing or new batch vapor or in-line solvent cleaning machine subject to the provisions of this subpart conforms to the design requirements specified in paragraphs (a)(1) through (7) of this section. The owner or operator of a continuous web cleaning machine shall comply with the requirements of paragraph (g) or (h) of this section, as appropriate, in lieu of complying with this paragraph.

* * * * *

(c) Except as provided in § 63.464 for all cleaning machines, each owner or operator of an in-line cleaning machine shall comply with paragraph (c)(1) or (2) of this section as appropriate. The owner or operator of a continuous web cleaning machine shall comply with the requirements of paragraph (g) or (h) of this section, as appropriate, in lieu of complying with this paragraph.

* * * * *

(d) Except as provided in § 63.464 for all cleaning machines, each owner or operator of an existing or new batch vapor or in-line solvent cleaning machine shall meet all of the following required work and operational practices specified in paragraphs (d)(1) through (12) of this section as applicable. The owner or operator of a continuous web cleaning machine shall comply with the requirements of paragraph (g) or (h) of

this section, as appropriate, in lieu of complying with this paragraph.

* * * * *

(e) Each owner or operator of a solvent cleaning machine complying with paragraph (b), (c), or (g) of this section shall comply with the requirements specified in paragraphs (e)(1) through (4) of this section.

* * * * *

(2) Determine during each monitoring period whether each control device used to comply with these standards meets the requirements specified in paragraphs (e)(2)(i) through (xi) of this section.

* * * * *

(viii) If a superheated part system is used to comply with the standards for continuous web cleaning machines in paragraph (g) of this section, the owner or operator shall ensure that the temperature of the continuous web part is at least 10 degrees Fahrenheit above the solvent boiling point while the part is traveling through the cleaning machine.

(ix) If a squeegee system is used to comply with the continuous web cleaning requirements of paragraph (g)(3)(iii) of this section, the owner or operator shall comply with the following requirements.

(A) Determine the appropriate maximum product throughput for the squeegees used in the squeegee system, as described in § 63.465(f).

(B) Conduct the weekly monitoring required by § 63.466(a)(3). Record both the results of the visual inspection and the length of continuous web product cleaned during the previous week.

(C) Calculate the total amount of continuous web product processed since the squeegees were replaced and compare to the maximum product throughput for the squeegees.

(D) Ensure squeegees are replaced at or before the maximum product throughput is attained.

(E) Redetermine the maximum product throughput for the squeegees if any solvent film is visible on the continuous web part immediately after it exits the cleaning machine.

(x) If an air knife system is used to comply with the continuous web cleaning requirements of paragraph (g)(3)(iii) of this section, the owner or operator shall comply with the following requirements.

(A) Determine the air knife parameter and parameter value that demonstrate to the Administrator's satisfaction that the air knife is properly operating. An air knife is properly operating if no visible solvent film remains on the continuous web part after it exits the cleaning machine.

(B) Maintain the selected air knife parameter value at the level determined in paragraph (a) of this section.

(C) Conduct the weekly monitoring required by § 63.466(a)(3).

(D) Redetermine the proper air knife parameter value if any solvent film is visible on the continuous web part immediately after it exits the cleaning machine.

(xi) If a combination squeegee and air knife system is used to comply with the continuous web cleaning requirements of paragraph (g)(3)(iii) of this section, the owner or operator shall comply with the following requirements.

(A) Determine the system parameter and value that demonstrate to the Administrator's satisfaction that the system is properly operating.

(B) Maintain the selected parameter value at the level determined in paragraph (a) of this section.

(C) Conduct the weekly monitoring required by § 63.466(a)(3).

(D) Redetermine the proper parameter value if any solvent film is visible on the continuous web part immediately after it exits the cleaning machine.

* * * * *

(g) Except as provided in § 63.464 and in paragraph (h) of this section for remote reservoir continuous web cleaning machines, each owner or operator of a continuous web cleaning machine shall comply with paragraphs (g)(1) through (4) of this section for each continuous web cleaning machine.

(1) Except as provided in paragraph (g)(2) of this section, install, maintain, and operate one of the following control combinations on each continuous web cleaning machine.

(i) For each existing continuous web cleaning machine, the following control combinations are allowed:

(A) Superheated vapor or superheated part technology, and a freeboard ratio of 1.0 or greater.

(B) Freeboard refrigeration device and a freeboard ratio of 1.0 or greater.

(C) Carbon adsorption system meeting the requirements of paragraph (e)(2)(vii) of this section.

(ii) For each new continuous web cleaning machine, the following control combinations are allowed:

(A) Superheated vapor or superheated part technology, and a freeboard refrigeration device.

(B) A freeboard refrigeration device and a carbon adsorber meeting the requirements of paragraph (e)(2)(vii) of this section.

(C) Superheated vapor or superheated part technology, and a carbon adsorber meeting the requirements of paragraph (e)(2)(vii) of this section.

(2) If a carbon adsorber system can be demonstrated to the Administrator's satisfaction to have an overall solvent control efficiency (*i.e.*, capture efficiency removal efficiency) of 70 percent or greater, this system is equivalent to the options in paragraph (g) of this section.

(3) In lieu of complying with the provisions of paragraph (a) of this section, the owner or operator of a continuous web cleaning machine shall comply with the following provisions:

(i) Each cleaning machine shall meet one of the following control equipment or technique requirements:

(A) An idling and downtime mode cover, as described in paragraph (d)(1)(i) of this section, that may be readily opened or closed; that completely covers the cleaning machine openings when in place; and is free of cracks, holes, and other defects. A continuous web part that completely occupies an entry or exit port when the machine is idle is considered to meet this requirement.

(B) A reduced room draft as described in paragraph (e)(2)(ii) of this section.

(C) Gasketed or leakproof doors that separate both the continuous web part feed reel and take-up reel from the room atmosphere if the doors are checked according to the requirements of paragraph (e)(2)(iii) of this section.

(D) A cleaning machine that is demonstrated to the Administrator's satisfaction to be under negative pressure during idling and downtime and is vented to a carbon adsorption system that meets the requirements of either paragraph (e)(2)(vii) of this section or paragraph (g)(2) of this section.

(ii) Each continuous web cleaning machine shall have a freeboard ratio of 0.75 or greater unless that cleaning machine is a remote reservoir continuous web cleaning machine.

(iii) Each cleaning machine shall have an automated parts handling system capable of moving parts or parts baskets at a speed of 3.4 meters per minute (11 feet per minute) or less from the initial loading of parts through removal of cleaned parts, unless the cleaning machine is a continuous web cleaning machine that has a squeegee system or air knife system installed, maintained, and operated on the continuous web cleaning machine meeting the requirements of paragraph (e) of this section.

(iv) Each vapor cleaning machine shall be equipped with a device that shuts off the sump heat if the sump liquid solvent level drops to the sump heater coils.

(v) Each vapor cleaning machine shall be equipped with a vapor level control device that shuts off sump heat if the vapor level in the vapor cleaning machine rises above the height of the primary condenser.

(vi) Each vapor cleaning machine shall have a primary condenser.

(vii) Each cleaning machine that uses an exhaust shall be designed and operated to route all collected solvent vapors through a properly operated and maintained carbon adsorber that meets the requirements of paragraph (e)(2)(ii) of this section.

(4) In lieu of complying with the provisions of paragraph (d) of this section, the owner or operator of a continuous web cleaning machine shall comply with the following provisions:

(i) Control air disturbances across the cleaning machine opening(s) by incorporating one of the following control equipment or techniques:

(A) Cover(s) to each solvent cleaning machine shall be in place during the idling mode and during the downtime mode unless either the solvent has been removed from the machine or maintenance or monitoring is being performed that requires the cover(s) in place. A continuous web part that completely occupies an entry or exit port when the machine is idle is considered to meet this requirement.

(B) A reduced room draft as described in paragraph (e)(2)(ii) of this section.

(C) Gasketed or leakproof doors or covers that separate both the continuous web part feed reel and take-up reel from the room atmosphere if the doors are checked according to the requirements of paragraph (e)(2)(iii) of this section.

(D) A cleaning machine that is demonstrated to the Administrator's satisfaction to be under negative pressure during idling and downtime and is vented to a carbon adsorption system that meets either the requirements of paragraph (e)(2)(vii) of this section or paragraph (g)(2) of this section.

(ii) Any spraying operations shall be conducted in a section of the solvent cleaning machine that is not directly exposed to the ambient air (*i.e.*, a baffled or enclosed area of the solvent cleaning machine) or within a machine having a door or cover that meets the requirements of paragraph (g)(4)(i)(C) of this section.

(iii) During startup of each vapor cleaning machine, the primary condenser shall be turned on before the sump heater.

(iv) During shutdown of each vapor cleaning machine, the sump heater shall be turned off and the solvent vapor layer

allowed to collapse before the primary condenser is turned off.

(v) When solvent is added or drained from any solvent cleaning machine, the solvent shall be transferred using threaded or other leakproof couplings, and the end of the pipe in the solvent sump shall be located beneath the liquid solvent surface.

(vi) Each solvent cleaning machine and associated controls shall be maintained as recommended by the manufacturers of the equipment or using alternative maintenance practices that have been demonstrated to the Administrator's satisfaction to achieve the same or better results as those recommended by the manufacturer.

(vii) Waste solvent, still bottoms, sump bottoms, and waste absorbent materials used in the cleaning process for continuous web cleaning machines shall be collected and stored in waste containers. The closed containers may contain a device that would allow pressure relief, but would not allow liquid solvent to drain from the container.

(viii) Except as provided in paragraph (g)(4)(ix) of this section, sponges, fabric, wood, and paper products shall not be cleaned.

(ix) The prohibition in paragraph (g)(4)(viii) of this section does not apply to absorbent materials that are used as part of the cleaning process of continuous web cleaning machines, including rollers and roller covers.

(h) Except as provided in § 63.464, each owner or operator of a remote reservoir continuous web cleaning machine shall comply with paragraphs (h)(1) through (4) of this section.

(1) Except as provided in paragraph (h)(2) of this section, install, maintain, and operate one of the following controls on each new remote reservoir continuous web cleaning machine.

(i) Superheated vapor or superheated part technology.

(ii) A carbon adsorber meeting the requirements of paragraph (e)(2)(vii) of this section.

(iii) If a carbon adsorber system can be demonstrated to the Administrator's satisfaction to have an overall solvent control efficiency (*i.e.*, capture efficiency removal efficiency) of 70 percent or greater, this system is equivalent to the options in paragraphs (h)(1)(i) and (h)(1)(ii) of this section.

(2) In lieu of complying with the provisions of paragraph (a) of this section, the owner or operator of a remote reservoir continuous web cleaning machine shall comply with the following provisions:

(i) Each cleaning machine shall have an automated parts handling system

capable of moving parts or parts baskets at a speed of 3.4 meters per minute (11 feet per minute) or less from the initial loading of parts through removal of cleaned parts, unless the cleaning machine is a continuous web cleaning machine that has a squeegee system or air knife system installed, maintained, and operated on the continuous web cleaning machine meeting the requirements of paragraph (e) of this section.

(ii) Each vapor cleaning machine shall be equipped with a device that shuts off the sump heat if the sump liquid solvent level drops to the sump heater coils.

(iii) Each vapor cleaning machine shall be equipped with a vapor level control device that shuts off sump heat if the vapor level in the vapor cleaning machine rises above the height of the primary condenser.

(iv) Each vapor cleaning machine shall have a primary condenser.

(v) Each cleaning machine that uses an exhaust shall be designed and operated to route all collected solvent vapors through a properly operated and maintained carbon adsorber that meets the requirements of either paragraph (e)(2)(vii) of this section or paragraph (g)(2) of this section.

(3) In lieu of complying with the provisions of paragraph (d) of this section, the owner or operator of a remote reservoir continuous web cleaning machine shall comply with the following provisions:

(i) Any spraying operations shall be conducted in a section of the solvent cleaning machine that is not directly exposed to the ambient air (*i.e.*, a baffled or enclosed area of the solvent cleaning machine) or within a machine having a door or cover that meets the requirements of paragraph (g)(4)(i)(C) of this section.

(ii) During startup of each vapor cleaning machine, the primary condenser shall be turned on before the sump heater.

(iii) During shutdown of each vapor cleaning machine, the sump heater shall be turned off and the solvent vapor layer allowed to collapse before the primary condenser is turned off.

(iv) When solvent is added or drained from any solvent cleaning machine, the solvent shall be transferred using threaded or other leakproof couplings, and the end of the pipe in the solvent sump shall be located beneath the liquid solvent surface.

(v) Each solvent cleaning machine and associated controls shall be maintained as recommended by the manufacturers of the equipment or using alternative maintenance practices that have been demonstrated to the

Administrator's satisfaction to achieve the same or better results as those recommended by the manufacturer.

(vi) Waste solvent, still bottoms, sump bottoms, and waste absorbent materials used in the cleaning process for continuous web cleaning machines shall be collected and stored in waste containers. The closed containers may contain a device that would allow pressure relief, but would not allow liquid solvent to drain from the container.

(vii) Except as provided in paragraph (h)(3)(viii) of this section, sponges, fabric, wood, and paper products shall not be cleaned.

(viii) The prohibition in paragraph (h)(3)(vii) of this section does not apply to absorbent materials that are used as part of the cleaning process of continuous web cleaning machines, including rollers and roller covers.

5. Section 63.464 is amended by adding paragraph (d) to read as follows:

§ 63.464 Alternative Standards.

* * * * *

(d) As an alternative to meeting the requirements in § 63.463, each owner or operator of a continuous web cleaning machine can demonstrate an overall cleaning system control efficiency of 70 percent using the procedures in § 63.465(g).

6. Section 63.465 is amended by:

- a. Revising paragraph (a);
- b. Revising paragraph (b);
- c. Revising paragraph (c) introductory text; and

d. Adding paragraphs (f), (g) and (h).

The revisions and additions read as follows:

§ 63.465 Test methods.

* * * * *

(a) Except as provided in paragraphs (f) and (g) of this section for continuous web cleaning machines, each owner or operator of a batch vapor or in-line solvent cleaning machine complying with an idling emission limit standard in § 63.463(b)(1)(ii), (b)(2)(ii), (c)(1)(ii), or (c)(2)(ii) shall determine the idling emission rate of the solvent cleaning machine using Reference Method 307 in appendix A of this part.

(b) Except as provided in paragraphs (f) and (g) of this section for continuous web cleaning machines, each owner or operator of a batch vapor or in-line solvent cleaning machine complying with § 63.464 shall, on the first operating day of every month, ensure that the solvent cleaning machine system contains only clean liquid solvent. This includes, but is not limited to, fresh unused solvent, recycled solvent and used solvent that has been

cleaned of soils. A fill-line must be indicated during the first month the measurements are made. The solvent level within the machine must be returned to the same fill-line each month, immediately prior to calculating monthly emissions as specified in paragraph (c) of this section. The solvent cleaning machine does not have to be emptied and filled with fresh unused solvent prior to the calculations.

(c) Except as provided in paragraphs (f) and (g) of this section for continuous web cleaning machines, each owner or operator of a batch vapor or in-line solvent cleaning machine complying with § 63.464 shall, on the first operating day of the month, comply with the requirements specified in paragraphs (c)(1) through (3) of this section.

* * * * *

(f) Each owner or operator of a continuous web cleaning machine using a squeegee system to comply with § 63.463(g)(3) shall determine the maximum product throughput using the method in this paragraph. The maximum product throughput for each squeegee type used at a facility must be determined prior to December 2, 1999, the compliance date for these units.

(1) Conduct daily visual inspections of the continuous web part. This monitoring shall be conducted at the point where the continuous web part exits the squeegee system. It is not necessary for the squeegees to be new at the time monitoring is begun if the following two conditions are met:

(i) The continuous web part leaving the squeegee system has no visible solvent film.

(ii) The amount of continuous web that has been processed through the squeegees since the last replacement is known.

(2) Continue daily monitoring until a visible solvent film is noted on the continuous web part.

(3) Determine the length of continuous web product that has been cleaned using the squeegee since it was installed.

(4) The maximum product throughput for the purposes of this rule is equal to the time it takes to clean 95 percent of the length of product determined in paragraph (f)(3) of this section. This time period, in days, may vary depending on the amount of continuous web product cleaned each day.

(g) Each owner or operator of a continuous web cleaning machine demonstrating compliance with the alternative standard of § 63.464(d) shall, on the first day of every month, ensure that the solvent cleaning machine

contains only clean liquid solvent. This includes, but is not limited to, fresh unused solvent, recycled solvent, and used solvent that has been cleaned of soils. A fill-line must be indicated during the first month the measurements are made. The solvent level with the machine must be returned to the same fill-line each month, immediately prior to calculating overall cleaning system control efficiency emissions as specified in paragraph (h) in this section. The solvent cleaning machine does not need to be emptied and filled with fresh unused solvent prior to the calculation.

(h) Each owner or operator of a continuous web cleaning machines complying with § 63.464(d) shall, on the first operating day of the month, comply with the following requirements.

(1) Using the records of all solvent additions, solvent deletions, and solvent recovered for the previous monthly reporting period required under § 63.467(e), determine overall cleaning system control efficiency (Eo) using Equation 8 as follows:

$$E_o = R_i / (R_i + (S_{a_i} - SSR_i)) \quad (\text{Eq. 8})$$

Where:

E_o = overall cleaning system control efficiency

R_i = the total amount of halogenated HAP liquid solvent recycled to the solvent cleaning machine during the most recent monthly reporting period i, (kilograms of solvent per month).

S_{a_i} = the total amount of halogenated HAP liquid solvent added to the solvent cleaning machine during the most recent monthly reporting period i, (kilograms of solvent per month).

SSR_i = the total amount of halogenated HAP solvent removed from the solvent cleaning machine in solid waste, obtained as described in paragraph (c)(2) of this section, during the most recent monthly reporting period i, (kilograms of solvent per month).

7. Section 63.466 is amended by revising paragraph (a) introductory text and adding paragraphs (a)(3) through (5) to read as follows:

§ 63.466 Monitoring procedures.

(a) Except as provided in paragraph (g) of this section, each owner or operator of a batch vapor or in-line solvent cleaning machine complying with the equipment standards in § 63.463(b)(1)(i), (b)(2)(i), (c)(1)(i), (c)(2)(i), (g)(1), or (g)(2) shall conduct monitoring and record the results on a weekly basis for the control devices, as

appropriate, specified in paragraphs (a)(1) through (5) of this section.

* * * * *

(3) If a squeegee system, air knife system, or combination squeegee and air knife system is used to comply with the requirements of § 63.463(g) or (h), the owner or operator shall visually inspect the continuous web part exiting the solvent cleaning machine to ensure that no solvent film is visible on the part.

(4) Except as provided in paragraph (a)(5) of this section, if a superheated part system is used to comply with the requirements of § 63.463(g) or (h), the owner or operator shall use a thermometer, thermocouple, or other temperature measurement device to measure the temperature of the continuous web part while it is in the solvent cleaning machine. This measurement can also be taken at the exit of the solvent cleaning machine.

(5) As an alternative to complying with paragraph (a)(4) of this section, the owner or operator can provide data, sufficient to satisfy the Administrator, that demonstrate that the part temperature remains above the boiling point of the solvent at all times that the part is within the continuous web solvent cleaning machine. This data could include design and operating conditions such as information supporting any exothermic reaction inherent in the processing.

* * * * *

8. Section 63.467 is amended by revising paragraph (a) introductory text, paragraph (c) introductory text and by adding paragraph (a)(6), paragraph (a)(7) and paragraph (e) to read as follows:

§ 63.467 Recordkeeping requirements.

(a) Each owner or operator of a batch vapor or in-line solvent cleaning machine complying with the provisions of § 63.463 shall maintain records in written or electronic form specified in paragraphs (a)(1) through (7) of this section for the lifetime of the machine.

* * * * *

(6) If a squeegee system is used to comply with these standards, records of the test required by § 63.466(f) to determine the maximum product throughput for the squeegees.

(7) If an air knife system or a combination squeegee and air knife system is used to comply with these standards, records of the determination of the proper operating parameter and parameter value for the air knife system.

* * * * *

(c) Except as provided in paragraph (e) of this section for continuous web cleaning machines, each owner or operator of a batch vapor or in-line

solvent cleaning machine complying with the provisions of § 63.464 shall maintain records specified in paragraphs (c)(1) through (3) of this section either in electronic or written form for a period of 5 years.

* * * * *

(e) Each owner or operator of a continuous web cleaning machine complying with the provisions of

§ 63.464(d) shall maintain the following records in either electronic or written form for a period of 5 years.

(1) The dates and amounts of solvent that are added to the solvent cleaning machine.

(2) The dates and amounts of solvent that are recovered from the desorption of the carbon adsorber system.

(3) The solvent composition of wastes removed from each cleaning machine as determined using the procedures in § 63.465(c)(2).

(4) Calculation sheets showing the calculation and results of determining the overall cleaning system control efficiency, as required by § 63.465.

[FR Doc. 99-31356 Filed 12-2-99; 8:45 am]

BILLING CODE 6560-50-P