

Dated: September 20, 2001.

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*Rear Admiral, U. S. Coast Guard,
Commander, Eighth Coast Guard District.*

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ENVIRONMENTAL PROTECTION AGENCY

40 CFR Parts 60, 61, and 63

[FRL-7071-5]

Standards of Performance for New Stationary Sources (NSPS) and National Emission Standards for Hazardous Air Pollutants (NESHAPS); Delegation of Authority to the States of Iowa; Kansas; Missouri; Nebraska; Lincoln-Lancaster County, Nebraska; and City of Omaha, NE

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice of delegation of authority.

SUMMARY: The states of Iowa, Kansas, Missouri, Nebraska, and the local agencies of Lincoln-Lancaster County, Nebraska, and city of Omaha, Nebraska, have submitted updated regulations for delegation of the EPA authority for implementation and enforcement of NSPS and NESHAPS. The submissions cover new EPA standards and, in some instances, revisions to standards previously delegated. EPA's review of the pertinent regulations shows that they contain adequate and effective procedures for the implementation and enforcement of these Federal standards. This action informs the public of delegations to the above-mentioned agencies.

DATES: This rule is effective on November 1, 2001. The dates of delegation can be found in the **SUPPLEMENTARY INFORMATION** section of this document.

ADDRESSES: Copies of the documents relevant to this action are available for public inspection during normal business hours at the Environmental Protection Agency, Air Planning and Development Branch, 901 North 5th Street, Kansas City, Kansas 66101.

Effective immediately, all notifications, applications, reports, and other correspondence required pursuant to the newly delegated standards and revisions identified in this notice should be submitted to the Region 7 office, and, with respect to sources located in the jurisdictions identified in this notice, to the following addresses:

Iowa Department of Natural Resources, Air Quality Bureau, 7900 Hickman Road, Urbandale, Iowa 50322.

Kansas Department of Health and Environment, Bureau of Air and Radiation, 1000 SW Jackson, Suite 310, Topeka, Kansas 66612-1366.

Missouri Department of Natural Resources, Air Pollution Control Program, Jefferson State Office Building, P.O. Box 176, Jefferson City, Missouri 65102.

Nebraska Department of Environmental Quality, Air and Waste Management Division, P.O. Box 98922, Statehouse Station, Lincoln, Nebraska 68509.

Lincoln-Lancaster County Air Pollution Control Agency, Division of Environmental Health, 3140 "N" Street, Lincoln, Nebraska 68510.

City of Omaha, Public Works Department, Air Quality Control Division, 5600 South 10th Street, Omaha, Nebraska 68510.

FOR FURTHER INFORMATION CONTACT:

Wayne Kaiser, Environmental Protection Agency, Air Planning and Development Branch, 901 North 5th Street, Kansas City, Kansas 66101, (913) 551-7603.

SUPPLEMENTARY INFORMATION: The supplementary information is organized in the following order:

What does this notice do?
What is the authority for delegation?
What does delegation accomplish?
What is being delegated?
What is not being delegated?

List of Delegation Tables

Table I—NSPS, 40 CFR part 60
Table II—NESHAPS, 40 CFR part 61
Table III—NESHAPS, 40 CFR part 63

What Does This Notice Do?

EPA is providing notice that it is delegating authority for implementation and enforcement of the Federal standards shown in the tables below to the state and local air agencies in Region 7. This notice updates the delegation tables most recently published at 65 FR 20754 (April 18, 2000).

Section 553(b)(B) of the Administrative Procedures Act (APA) provides that an agency may forgo notice-and-comment rulemaking upon determination of "good cause" published with the rule. EPA considers these updates to be minor changes which are not subject to notice-and-comment rulemaking procedures under the APA or any other statute.

What Is the Authority for Delegation?

1. Section 111(c)(1) of the Clean Air Act (CAA) authorizes EPA to delegate authority to any state agency which submits adequate regulatory procedures

for implementation and enforcement of the NSPS program. The NSPS standards are codified at 40 CFR part 60.

2. Section 112(l) of the CAA and 40 CFR part 63, subpart E, authorizes EPA to delegate authority to any state or local agency which submits adequate regulatory procedures for implementation and enforcement of emission standards for hazardous air pollutants. The hazardous air pollutant standards are codified at 40 CFR parts 61 and 63, respectively.

What Does Delegation Accomplish?

Delegation confers primary responsibility for implementation and enforcement of the listed standards to the respective state and local air agencies. However, EPA also retains the authority to enforce the standards if it so desires.

What Is Being Delegated?

Tables I, II, and III below list the delegated standards. The first date in each block is the reference date to the CFR contained in the state rule. In general, the state has adopted the applicable standard through this date as noted in the table. The second date is the most recent effective date of the state agency rule for which EPA is providing or updating the delegation.

What Is Not Being Delegated?

1. EPA regulations effective after the first date specified in each block have not been delegated, and authority for implementation of these regulations is retained solely by EPA.

2. In some cases, the standards themselves specify that specific provisions cannot be delegated. You should review the standard for this information.

3. In some cases, the agency rules do not adopt the Federal standard in its entirety. Each agency rule (available from the respective agency) should be consulted for specific information.

4. In some cases, existing delegation agreements between EPA and the agencies limit the scope of the delegated standards. Copies of delegation agreements are available from the state agencies, or from this office.

5. With respect to 40 CFR part 63, subpart A, General Provisions (see Table III), EPA has determined that sections 63.6(g), 63.6(h)(9), 63.7(e)(2)(ii) and (f), 63.8(f), and 63.10(f) cannot be delegated. Additional information is contained in an EPA memorandum titled "Delegation of 40 CFR Part 63 General Provisions Authorities to State and Local Air Pollution Control Agencies" from John Seitz, Director, Office of Air Quality

Planning and Standards, dated July 10, 1998.

List of Delegation Tables

TABLE I.—DELEGATION OF AUTHORITY—PART 60 NSPS—REGION 7

Sub-part	Source category	State of Iowa	State of Kansas	State of Missouri	State of Nebraska
A	General Provisions	11/24/98 12/23/98	07/01/98 06/11/99	12/31/99 12/30/00	07/01/97 12/15/98
D	Fossil-Fuel Fired Steam Generators for Which Construction is Commenced After August 17, 1971.	11/24/98 12/23/98	07/01/98 06/11/99	12/31/99 12/30/00	07/01/97 12/15/98
Da	Electric Utility Steam Generating Units for Which Construction is Commenced After September 18, 1978.	11/24/98 12/31/99	07/01/98 06/11/99	12/31/99 12/30/00	07/01/97 12/15/98
Db	Industrial-Commercial Institutional Steam Generating Units	11/24/98 12/23/98	07/01/98 06/11/99	12/31/99 12/30/00	07/01/97 12/15/98
Dc	Small Industrial-Commercial-Institutional Steam Generating Units	11/24/98 12/23/98	07/01/98 06/11/99	12/31/99 12/30/00	07/01/97 12/15/98
E	Incinerators	11/24/98 12/23/98	07/01/98 06/11/99	12/31/99 12/30/00	07/01/97 12/15/98
Ea	Municipal Waste Combustors Constructed after December 20, 1989, and on or before September 20 1994..	11/24/98 12/23/98	07/01/98 06/11/99	12/31/99 12/30/00	07/01/97 12/15/98
Eb	Municipal Waste Combustors for Which Construction is Commenced after September 20, 1994.	11/24/98 12/23/98	07/01/98 06/11/99	12/31/99 12/30/00	07/01/97 12/15/98
Ec	Hospital/medical/infectious Waste Incinerators for Which Construction Commenced after June 20, 1996.	11/24/98 12/23/98	07/01/98 06/11/99	12/31/99 12/30/00	09/15/97 12/15/98
F	Portland Cement Plants	11/24/98 12/23/98	07/01/98 06/11/99	12/31/99 12/30/00	07/01/97 12/15/98
G	Nitric Acid Plants	11/24/98 12/23/98	07/01/98 06/11/99	12/31/99 12/30/00	07/01/97 12/15/98
H	Sulfuric Acid Plants	11/24/98 12/23/98	07/01/98 06/11/99	12/31/99 12/30/00	07/01/97 12/15/98
I	Asphaltic Concrete Plants	11/24/98 12/23/98	07/01/98 06/11/99	12/31/99 12/30/00	07/01/97 12/15/98
J	Petroleum Refineries	11/24/98 12/23/98	07/01/98 06/11/99	12/31/99 12/30/00	07/01/97 12/15/98
K	Storage Vessels for Petroleum Liquid for Which Construction, Reconstruction, or Modification Commenced After June 11, 1973, and Prior to May 19, 1978.	11/24/98 12/23/98	07/01/98 06/11/99	12/31/99 12/30/00	07/01/97 12/15/98
Ka	Storage Vessels for Petroleum Liquid for Which Construction, Reconstruction, or Modification Commenced After May 18, 1978, and Prior to July 23, 1984.	11/24/98 12/23/98	07/01/98 06/11/99	12/31/99 12/30/00	07/01/97 12/15/98
Kb	Volatile Organic Liquid Storage Vessels for Which Construction, Reconstruction, or Modification Commenced After July 23, 1984.	11/24/98 12/23/98	07/01/98 06/11/99	12/31/99 12/30/00	07/01/97 12/15/98
L	Secondary Lead Smelters	11/24/98 12/23/98	07/01/98 06/11/99	12/31/99 12/30/00	07/01/97 12/15/98
M	Brass & Bronze Production Plants	11/24/98 12/23/98	07/01/98 06/11/99	12/31/99 12/30/00	07/01/97 12/15/98
N	Basic Oxygen Process Furnaces for Which Construction is Commenced After June 11, 1973.	11/24/98 12/23/98	07/01/98 06/11/99	12/31/99 12/30/00	07/01/97 12/15/98
Na	Basic Oxygen Process Steelmaking Facilities for Which Construction is Commenced After January 20, 1983.	11/24/98 12/23/98	07/01/98 06/11/99	12/31/99 12/30/00	07/01/97 12/15/98
O	Sewage Treatment Plants	11/24/98 12/23/98	07/01/98 06/11/99	12/31/99 12/30/00	07/01/97 12/15/98
P	Primary Copper Smelters	11/24/98 12/23/98	07/01/98 06/11/99	12/31/99 12/30/00	07/01/97 12/15/98
Q	Primary Zinc Smelters	11/24/98 12/23/98	07/01/98 06/11/99	12/31/99 12/30/00	07/01/97 12/15/98
R	Primary Lead Smelters	11/24/98 12/23/98	07/01/98 06/11/99	12/31/99 12/30/00	07/01/97 12/15/98
S	Primary Aluminum Reduction Plants	11/24/98 12/23/98	07/01/98 06/11/99	12/31/99 12/30/00	07/01/97 12/15/98
T	Wet Process Phosphoric Acid Plants	11/24/98 12/23/98	07/01/98 06/11/99	12/31/99 12/30/00	07/01/97 12/15/98
U	Superphosphoric Acid Plants	11/24/98 12/23/98	07/01/98 06/11/99	12/31/99 12/30/00	07/01/97 12/15/98
V	Diammonium Phosphate Plants	11/24/98 12/23/98	07/01/98 06/11/99	12/31/99 12/30/00	07/01/97 12/15/98
W	Triple Superphosphate Plants	11/24/98 12/23/98	07/01/98 06/11/99	12/31/99 12/30/00	07/01/97 12/15/98
X	Granular Triple Superphosphate Storage Facilities	11/24/98 12/23/98	06/11/99 07/01/98	12/30/00 12/31/99	07/01/97 12/15/98

TABLE I.—DELEGATION OF AUTHORITY—PART 60 NSPS—REGION 7—Continued

Sub-part	Source category	State of Iowa	State of Kansas	State of Missouri	State of Nebraska
Y	Coal Preparation Plants	11/24/98 12/23/98	07/01/98 06/11/99	12/31/99 12/30/00	07/01/97 12/15/98
Z	Ferroalloy Production Facilities	11/24/98 12/23/98	07/01/98 06/11/99	12/31/99 12/30/00	07/01/97 12/15/98
AA	Steel Plant Electric Arc Furnaces Constructed After October 21, 1974, and on or Before August 17, 1983.	11/24/98 12/23/98	07/01/98 06/11/99	12/31/99 12/30/00	07/01/97 12/15/98
AAa	Steel Plant Electric Arc Furnaces & Argon-Oxygen Decarburization Vessels Constructed After August 7, 1983.	11/24/98 12/23/98	07/01/98 06/11/99	12/31/99 12/30/00	07/01/97 12/15/98
BB	Kraft Pulp Mills	11/24/98 12/23/98	07/01/98 06/11/99	12/31/99 12/30/00	.....
CC	Glass Manufacturing Plants	11/24/98 12/23/98	07/01/98 06/11/99	12/31/99 12/30/00	07/01/97 12/15/98
DD	Grain Elevators	11/24/98 12/23/98	07/01/98 06/11/99	12/31/99 12/30/00	07/01/97 12/15/98
EE	Surface Coating of Metal Furniture	11/24/98 12/23/98	07/01/98 06/11/99	12/31/99 12/30/00	07/01/97 12/15/98
GG	Stationary Gas Turbines	11/24/98 12/23/98	07/01/98 06/11/99	12/31/99 12/30/00	07/01/97 12/15/98
HH	Lime Manufacturing Plants	11/24/98 12/23/98	07/01/98 06/11/99	12/31/99 12/30/00	07/01/97 12/15/98
KK	Lead-Acid Battery Manufacturing Plants	11/24/98 12/23/98	07/01/98 06/11/99	12/31/99 12/30/00	07/01/97 12/15/98
LL	Metallic Mineral Processing Plants	11/24/98 12/23/98	07/01/98 06/11/99	12/31/99 12/30/00	07/01/97 12/15/98
MM	Auto & Light-Duty Truck Surface Coating Operations	11/24/98 12/23/98	07/01/98 06/11/99	12/31/99 12/30/00	07/01/97 12/15/98
NN	Phosphate Rock Plants	11/24/98 12/23/98	07/01/98 06/11/99	12/31/99 12/30/00	07/01/97 12/15/98
PP	Ammonium Sulfate Manufacture	11/24/98 12/23/98	07/01/98 06/11/99	12/31/99 12/30/00	07/01/97 12/15/98
QQ	Graphic Arts Industry: Publication Rotogravure Printing	11/24/98 12/23/98	07/01/98 06/11/99	12/31/99 12/30/00	07/01/97 12/15/98
RR	Pressure Sensitive Tape & Label Surface Coating Operations	11/24/98 12/23/98	07/01/98 06/11/99	12/31/99 12/30/00	07/01/97 12/15/98
SS	Industrial Surface Coating: Large Appliances	11/24/98 12/23/98	07/01/98 06/11/99	12/31/99 12/30/00	07/01/97 12/15/98
TT	Metal Coil Surface Coating	11/24/98 12/23/98	07/01/98 06/11/99	12/31/99 12/30/00	07/01/97 12/15/98
UU	Asphalt Processing & Asphalt Roofing Manufacture	11/24/98 12/23/98	07/01/98 06/11/99	12/31/99 12/30/00	07/01/97 12/15/98
VV	SOCMI Equipment Leaks (VOC)	11/24/98 12/23/98	07/01/98 06/11/99	12/31/99 12/30/00	07/01/97 12/15/98
WW	Beverage Can Surface Coating Industry	11/24/98 12/23/98	07/01/98 06/11/99	12/31/99 12/30/00	07/01/97 12/15/98
XX	Bulk Gasoline Terminals	11/24/98 12/23/98	07/01/98 06/11/99	12/31/99 12/30/00	07/01/97 12/15/98
AAA	New Residential Wood Heaters	08/31/93 12/23/98	07/01/98 06/11/99	12/31/99 12/30/00	.....
BBB	Rubber Tire Manufacturing Industry	11/24/98 12/23/98	07/01/98 06/11/99	12/31/99 12/30/00	07/01/97 12/15/98
DDD	Polymer Manufacturing Industry (VOC)	11/24/98 12/23/98	07/01/98 06/11/99	12/31/99 12/30/00	.....
FFF	Flexible Vinyl and Urethane Coating and Printing	11/24/98 12/23/98	07/01/98 06/11/99	12/31/99 12/30/00	07/01/97 12/15/98
GGG	Equipment Leaks of VOC in Petroleum Refineries	11/24/98 12/23/98	07/01/98 06/11/99	12/31/99 12/30/00	07/01/97 12/15/98
HHH	Synthetic Fiber Production Facilities	11/24/98 12/23/98	07/01/98 06/11/99	12/31/99 12/30/00	07/01/97 12/15/98
III	SOCMI AIR Oxidation Unit Processes	11/24/98 12/23/98	07/01/98 06/11/99	12/31/99 12/30/00	07/01/97 12/15/98
JJJ	Petroleum Dry Cleaners	11/24/98 12/23/98	07/01/98 06/11/99	12/31/99 12/30/00	07/01/97 12/15/98
KKK	VOC Leaks from Onshore Natural Gas Processing Plants	11/24/98 12/23/98	07/01/98 06/11/99	12/31/99 12/30/00	07/01/97 12/15/98
LLL	Onshore Natural Gas Processing: SO ₂ Emissions	11/24/98 12/23/98	07/01/98 06/11/99	12/31/99 12/30/00	07/01/97 12/15/98
NNN	VOC Emissions from SOCMI Distillation Operations	11/24/98 12/23/98	07/01/98 06/11/99	12/31/99 12/30/00	07/01/97 12/15/98
OOO	Nonmetallic Mineral Processing Plants	11/24/98 12/23/98	07/01/98 06/11/99	12/31/99 12/30/00	07/01/97 12/15/98

TABLE I.—DELEGATION OF AUTHORITY—PART 60 NSPS—REGION 7—Continued

Sub-part	Source category	State of Iowa	State of Kansas	State of Missouri	State of Nebraska
PPP	Wool Fiberglass Insulation Manufacturing Plants	11/24/98 12/23/98	07/01/98 06/11/99	12/31/99 12/30/00	07/01/97 12/15/98
QQQ	VOC Emissions from Petroleum Refinery Wastewater Systems	11/24/98 12/23/98	07/01/98 06/11/99	12/31/99 12/30/00	07/01/97 12/15/98
RRR	VOC Emissions from SOCOMI Reactor Processes	11/24/98 12/23/98	07/01/98 06/11/99	12/31/99 12/30/00	.....
SSS	Magnetic Tape Coating Facilities	11/24/98 12/23/98	07/01/98 06/11/99	12/31/99 12/30/00	07/01/97 12/15/98
TTT	Surface Coating of Plastic Parts for Business Machines	11/24/98 12/23/98	07/01/98 06/11/99	12/31/99 12/30/00	07/01/97 12/15/98
UUU	Calciners & Dryers in Mineral Industries	11/24/98 12/23/98	07/01/98 06/11/99	12/31/99 12/30/00	07/28/92 12/15/98
VVV	Polymeric Coating of Supporting Substrates Facilities	11/24/98 12/23/98	07/01/98 06/11/99	12/31/99 12/30/00	07/01/97 12/15/98
WWW	New Municipal Solid Waste Landfills Accepting Waste On or After May 30, 1991.	11/24/98 12/23/98	07/01/98 06/11/99	12/31/99 12/30/00	07/01/96 12/15/98
AAAA	New Small Municipal Waste Combustion Units .....	.....	.....	.....	.....
CCCC	New Commercial and Industrial Solid Waste Incineration Units .....	.....	.....	.....	.....

TABLE II.—DELEGATION OF AUTHORITY—PART 61 NESHAPS—REGION 7

Subpart	Source category	State of Iowa	State of Kansas	State of Missouri	State of Nebraska	Lincoln-Lancaster County	City of Omaha
A	General Provisions	10/14/97 12/23/98	07/01/98 06/11/99	12/31/99 12/30/00	07/01/97 12/15/98	07/01/92 07/31/01	07/01/97 04/04/98
B	Radon Emissions from Underground Uranium Mines.	.....	07/01/98 06/11/99	.....	.....	.....	.....
C	Beryllium	10/14/97 12/23/98	07/01/98 06/11/99	12/31/99 12/30/00	07/01/97 12/15/98	07/01/92 07/31/01	07/01/97 04/04/98
D	Beryllium Rocket Motor Firing	10/14/97 12/23/98	07/01/98 06/11/99	12/31/99 12/30/00	07/01/97 12/15/98	07/01/92 07/31/01	07/01/97 04/04/98
E	Mercury	10/14/97 12/23/98	07/01/98 06/11/99	12/31/99 12/30/00	07/01/97 12/15/98	07/01/92 07/31/01	07/01/97 04/04/98
F	Vinyl Chloride	10/14/97 12/23/98	07/01/98 06/11/99	12/31/99 12/30/00	07/01/97 12/15/98	07/01/92 07/31/01	07/01/97 04/04/98
J	Equipment Leaks (Fugitive Emission Sources) of Benzene.	10/14/97 12/23/98	07/01/98 06/11/99	12/31/99 12/30/00	07/01/97 12/15/98	07/01/92 07/31/01	07/01/97 04/04/98
L	Benzene Emissions from Coke By-Product Recovery Plants.	10/14/97 12/23/98	07/01/98 06/11/99	12/31/99 12/30/00	07/01/97 12/15/98	07/01/92 07/31/01	07/01/97 04/04/98
M	Asbestos	10/14/97 12/23/98	07/01/98 06/11/99	12/31/99 12/30/00	07/01/97 12/15/98	07/01/92 07/31/01	07/01/97 04/04/98
N	Inorganic Arsenic Emissions from Glass Manufacturing Plants.	10/14/97 12/23/98	07/01/98 06/11/99	12/31/99 12/30/00	07/01/97 12/15/98	07/01/92 07/31/01	07/01/97 04/04/98
O	Inorganic Arsenic Emissions from Primary Copper Smelters.	10/14/97 12/23/98	07/01/98 06/11/99	12/31/99 12/30/00	07/01/97 12/15/98	07/01/92 07/31/01	07/01/97 04/04/98
P	Inorganic Arsenic Emissions from Arsenic Trioxide and Metallic Arsenic Production Facilities.	10/14/97 12/23/98	07/01/98 06/11/99	12/31/99 12/30/00	07/01/97 12/15/98	07/01/92 07/31/01	07/01/97 04/04/98
Q	Radon Emissions from Department of Energy Facilities.	.....	07/01/98 06/11/99	.....	.....	.....	.....
R	Radon Emissions from Phosphogypsum Stacks.	.....	07/01/98 06/11/99	.....	.....	.....	.....
T	Radon Emissions from the Disposal of Uranium Mill Tailings.	.....	07/01/98 06/11/99	.....	.....	.....	.....
V	Equipment Leaks (Fugitive Emission Sources).	10/14/97 12/23/98	07/01/98 06/11/99	12/31/99 12/30/00	07/01/97 12/15/98	07/01/92 07/31/01	07/01/97 04/04/98
W	Radon Emissions from Operating Mill Tailings.	.....	07/01/98 06/11/99	.....	.....	.....	.....
Y	Benzene Emissions from Benzene Storage Vessels.	10/14/97 12/23/98	07/01/98 06/11/99	12/31/99 12/30/00	07/01/97 12/15/98	07/01/92 07/31/01	07/01/97 04/04/98
BB	Benzene Emissions from Benzene Transfer Operations.	10/14/97 12/23/98	07/01/98 06/11/99	12/31/99 12/30/00	07/01/97 12/15/98	07/01/92 07/31/01	07/01/97 04/04/98
FF	Benzene Waste Operations	10/14/97 12/23/98	07/01/98 06/11/99	12/31/99 12/30/00	07/01/97 12/15/98	07/01/92 07/31/01	07/01/97 04/04/98

TABLE III.—DELEGATION OF AUTHORITY—PART 63 NESHAPS—REGION 7—Continued

Subpart	Source category	State of Iowa	State of Kansas	State of Missouri	State of Nebraska	Lincoln-Lancaster County	City of Omaha
OO	Tanks—Level 1		07/01/98 06/11/99	12/31/99 12/30/00	07/01/99 08/22/00	07/01/00 07/31/01	07/01/97 04/1/98
PP	Containers		07/01/98 06/11/99	12/31/99 12/30/00	07/01/99 08/22/00	07/01/00 07/31/01	07/01/97 04/1/98
QQ	Surface Impoundments		07/01/98 06/11/99	12/31/99 12/30/00	07/01/99 08/22/00	07/01/00 07/31/01	07/01/97 04/1/98
RR	Individual Drain Systems		07/01/98 06/11/99	12/31/99 12/30/00	07/01/99 08/22/00	07/01/00 07/31/01	07/01/97 04/1/98
SS	Closed Vent Systems, Control Devices, Recovery Devices and Routing to a Fuel Gas System or a Process.	01/20/00 03/14/01		12/31/99 12/30/00	07/01/99 08/22/00	07/01/00 07/31/00	
TT	Equipment Leaks—Control Level 1 Standards.	01/20/00 03/14/01		12/31/99 12/30/00	07/01/99 08/22/00	07/01/00 07/31/01	
UU	Equipment Leaks—Control Level 2 Standards.	01/20/00 03/14/01		12/31/99 12/30/00	07/01/99 08/22/00	07/01/00 07/31/01	
VV	Oil-Water Separators & Organic-Water Separators.		07/01/98 06/11/99	12/31/99 12/30/00	07/01/99 08/22/00	07/01/00 07/31/01	07/01/97 04/1/98
WW	Storage Vessel (Tanks)—Control Level 2.	01/20/00 03/14/01		12/31/99 12/30/00	07/01/99 08/22/00	07/01/00 07/31/01	
YY	Generic MACT	01/20/00 03/14/01		12/31/99 12/30/00	07/01/99 08/22/00	07/01/00 07/31/01	
CCC	Steel Pickling-HCL Process	01/20/00 03/14/01		12/31/99 12/30/00	07/01/99 08/22/00	07/01/00 07/31/01	
DDD	Mineral Wool Production	01/20/00 03/14/01		12/31/99 12/30/00	07/01/99 08/22/00	07/01/00 07/31/01	
EEE	Hazardous Waste Combustors	01/20/00 03/14/01		12/31/99 12/30/00		07/01/00 07/31/01	
GGG	Pharmaceutical Production	01/20/00 03/14/01		12/31/99 12/30/00	07/01/99 08/22/00	07/01/00 07/31/01	
HHH	Natural Gas Transmission and Storage	01/20/00 03/14/01		12/31/99 12/30/00	07/01/99 08/22/00	07/01/00 07/31/01	
III	Flexible Polyurethane Foam Production	01/20/00 03/14/01		12/31/99 12/30/00	07/01/99 08/22/00	07/01/00 07/31/01	
JJJ	Polymers and Resins Group IV	01/20/00 03/14/01	07/01/98 06/11/99	12/31/99 12/30/00	07/01/99 08/22/00	07/01/00 07/31/01	07/01/97 04/01/98
LLL	Portland Cement Manufacturing	01/20/00 03/14/01		12/31/99 12/30/00	07/01/99 08/22/00	07/01/00 07/31/01	
MMM	Pesticide Active Ingredient Production	01/20/00 03/14/01		12/31/99 12/30/00	07/01/99 08/22/00	07/01/00 07/31/01	
NNN	Wool Fiberglass Manufacturing	01/20/00 03/14/01		12/31/99 12/30/00	07/01/99 08/22/00	07/01/00 07/31/01	
OOO	Polymers & Resins III, Amino Resins/ Phenolic Resins.	01/20/00 03/14/01				07/01/01 07/31/01	
PPP	Polyether Polyols Production	01/20/00 03/14/01		12/31/99 12/30/00	07/01/99 08/22/00	07/01/00 07/31/01	
TTT	Primary Lead Smelting	01/20/00 03/14/01		12/31/99 12/30/00	07/01/99 08/22/00	07/01/00 07/31/01	
VVV	Publicly Owned Treatment Works	01/20/00 03/14/01		12/31/99 12/30/00			
XXX	Ferroalloys Production	01/20/00 03/14/01		12/31/99 12/30/00	07/01/99 08/22/00	07/01/00 07/31/01	
CCCC	Manufacturing Nutritional Yeast						
GGGG	Solvent Extraction for Vegetable Oil Production.						

Summary of This Action

After a review of the submissions, the Regional Administrator determined that delegation was appropriate for the source categories with the conditions set forth in the original NSPS and NESHAPS delegation agreements, and the limitations in all applicable regulations, including 40 CFR parts 60, 61, and 63.

You should refer to the applicable agreements and regulations referenced above to determine specific provisions which are not delegated.

All sources subject to the requirements of 40 CFR parts 60, 61, and 63 are also subject to the equivalent requirements of the above-mentioned state or local agencies.

EPA's review of the pertinent regulations shows that they contain

adequate and effective procedures for the implementation and enforcement of these Federal standards. This rule informs the public of delegations to the above-mentioned agencies.

What Are the Administrative Requirements Associated With This Document?

Under Executive Order 12866 (58 FR 51735, October 4, 1993), this action is

not a "significant regulatory action" and is therefore not subject to review by the Office of Management and Budget. For this reason, this action is also not subject to Executive Order 13211, "Actions Concerning Regulations That Significantly Affect Energy Supply, Distribution, or Use" (66 FR 28355, May 22, 2001). Because the agency has made a "good cause" finding that this action is not subject to notice-and-comment requirements under the APA or any other statute (see section I. of this document), it is not subject to the regulatory flexibility provisions of the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*), or to sections 202 and 205 of the Unfunded Mandates Reform Act of 1995 (UMRA)(Public Law 104-4). In addition, this action does not significantly or uniquely affect small governments or impose a significant intergovernmental mandate, as described in sections 203 and 204 of UMRA. This rule also does not significantly or uniquely affect the communities of tribal governments, as specified by Executive Order 13084 (63 FR 27655, May 10, 1998). This 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 (64 FR 43255, August 10, 1999). This rule also is not subject to Executive Order 13045 (62 FR 19885, April 23, 1997), because it is not economically significant.

This minor action does not involve technical standards; thus, the requirements of section 12(d) of the National Technology Transfer and Advancement Act of 1995 (15 U.S.C. 272 note) do not apply. This rule also does not involve special consideration of environmental justice related issues as required by Executive Order 12898 (59 FR 7629, February 16, 1994). In issuing this rule, EPA has taken the necessary steps to eliminate drafting errors and ambiguity, minimize potential litigation, and provide a clear legal standard for affected conduct, as required by section 3 of Executive Order 12988 (61 FR 4729, February 7, 1996). EPA has complied with Executive Order 12630 (53 FR 8859, March 15, 1988) by examining the takings implications of the rule in accordance with the "Attorney General's Supplemental Guidelines for the Evaluation of Risk and Avoidance of Unanticipated Takings" issued under the executive order. This rule does not impose an information collection burden under the provisions of the Paperwork Reduction Act of 1995 (44 U.S.C. 3501 *et seq.*).

The Congressional Review Act (5 U.S.C. 801 *et seq.*), as added by the Small Business Regulatory Enforcement Fairness 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. 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 action is not a "major rule" as defined by 5 U.S.C. 804(2).

List of Subjects

Environmental protection, Air pollution control, Intergovernmental relations.

Authority: This notice is issued under the authority of sections 101, 110, 112, and 301 of the CAA, as amended (42 U.S.C. 7401, 7410, 7412, and 7601).

Dated: September 21, 2001.

William W. Rice,

Acting Regional Administrator, Region 7.

[FR Doc. 01-24599 Filed 10-1-01; 8:45 am]

BILLING CODE 6560-50-P

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 63

[DE001-1001; FRL-7056-7]

Approval of Section 112(I) Authority for Hazardous Air Pollutants; State of Delaware; Department of Natural Resources and Environmental Control

AGENCY: Environmental Protection Agency (EPA).

ACTION: Direct final rule.

SUMMARY: EPA is taking direct final action to approve the Delaware Department of Natural Resources and Environmental Control's (DNREC's) request to implement and enforce its hazardous air pollutant general provisions and hazardous air pollutant emission standards for perchloroethylene dry cleaning facilities, hard and decorative chromium electroplating and chromium anodizing tanks, and industrial process cooling towers in place of similar Federal requirements set forth in the Code of Federal Regulations. This approval includes granting authority to DNREC to implement and enforce any future amendments to these provisions and standards that EPA promulgates and DNREC adopts unchanged into its

regulations. EPA is not waiving its notification and reporting requirements under this approval; therefore, sources will need to send notifications and reports to both DNREC and EPA. EPA is taking this action in accordance with the Clean Air Act (CAA).

DATES: This direct final rule will be effective December 3, 2001 unless EPA receives adverse or critical comments by November 1, 2001. If adverse comment is received, EPA will publish a timely withdrawal of the rule in the **Federal Register** and inform the public that the rule will not take effect. The incorporation by reference of certain publications listed in the regulations is approved by the Director of the Federal Register as of December 3, 2001.

ADDRESSES: Written comments on this action should be sent concurrently to: Makeba A. Morris, Chief, Permits and Technical Assessment Branch, Mail Code 3AP11, Air Protection Division, U.S. Environmental Protection Agency, Region III, 1650 Arch Street, Philadelphia, PA 19103-2029 and Robert Taggart, Delaware Department of Natural Resources and Environmental Control, Division of Air and Waste Management, 715 Grantham Lane, New Castle, DE 19720. Copies of the documents relevant to this action are available for public inspection during normal business hours at the Air Protection Division, U.S. Environmental Protection Agency, Region III, 1650 Arch Street, Philadelphia, Pennsylvania 19103; the Air and Radiation Docket and Information Center, U.S. Environmental Protection Agency, 401 M Street, SW, Washington, DC 20460; and the Delaware Department of Natural Resources & Environmental Control, Division of Air and Waste Management, 715 Grantham Lane, New Castle, DE 19720.

FOR FURTHER INFORMATION CONTACT: Dianne J. McNally, U.S. Environmental Protection Agency, Region 3, 1650 Arch Street (3AP11), Philadelphia, PA 19103-2029, mcnally.dianne@epa.gov (telephone 215-814-3297).

SUPPLEMENTARY INFORMATION:

I. Background

The Environmental Protection Agency (EPA) promulgated the General Provisions for the National Emission Standards for Hazardous Air Pollutants (NESHAPs) on March 16, 1994 (59 FR 12430) and subsequently amended these regulations on April 22, 1994 (59 FR 19453), December 6, 1994 (59 FR 62589), January 25, 1995 (60 FR 4963), June 27, 1995 (60 FR 33122), September 1, 1995 (60 FR 45980), May 21, 1996 (61 FR 25399), December 17, 1996 (61 FR