

**ENVIRONMENTAL PROTECTION AGENCY****40 CFR Part 63**

[AD-FRL-6347-1]

RIN 2060-A-53

**National Emission Standards for Hazardous Air Pollutants: Generic Maximum Achievable Control Technology; Process Wastewater Provisions****AGENCY:** Environmental Protection Agency (EPA).**ACTION:** Supplemental notice of proposed rulemaking; reopening of public comment period.

**SUMMARY:** On October 14, 1998, the EPA proposed a consolidated rulemaking that included several related elements: the establishment of the EPA's "generic MACT standards" program for setting national emission standards for hazardous air pollutants (NESHAP) under section 112 of the Clean Air Act (Act) for certain small source categories consisting of five or fewer sources; as part of this program, the establishment of an alternative methodology for making EPA's maximum available control technology (MACT) determination for appropriate small categories by referring to previous MACT standards that have been promulgated for similar sources in other categories; the proposal of MACT standards that were developed within the generic MACT framework for four specific source categories (i.e., acetal resins (AR) production, acrylic and modacrylic fiber (AMF) production, hydrogen fluoride (HF) production, and polycarbonate(s) (PC) production; and the proposal of general control requirements for certain types of emission points for hazardous air pollutants (HAP), which would then be referenced, as appropriate, in the generic MACT requirements for individual source categories.

The initial comment period for the proposed generic MACT standards closed on January 12, 1999. The EPA received several comments requesting clarifying changes to the standards. Changes in response to relevant comments have been made and those standards are being promulgated elsewhere in this separate part of the **Federal Register**. However, comments related to the wastewater provisions were received, which upon consideration by the EPA, indicate a need for significant changes to these provisions. Therefore, in today's promulgated rule for the generic MACT

standards, the EPA has deferred taking final action regarding provisions applicable to process wastewater streams for the AR, AMF, and PC production source categories.

**DATES:** *Comments:* Comments must be received on or before July 29, 1999.

*Public Hearing:* A public hearing will be held, if a timely hearing request is received, to provide interested persons an opportunity to present information pertaining to today's supplemental proposal. If any person specifically requests that a public hearing be held by July 6, 1999, a public hearing will be held on July 13, 1999 beginning at 10 a.m. Any request that a hearing be held concerning this supplemental proposal must be submitted orally or in writing no later than July 6, 1999.

**ADDRESSES:** *Comments:* Comments should be submitted (in duplicate, if possible) to: Air and Radiation Docket and Information Center (6102), (LE-131), Attention, Docket No. A-97-17, U.S. Environmental Protection Agency, 401 M Street, SW, Washington, DC 20460. The EPA requests that a separate copy of comments also be sent to Mr. David W. Markwordt (see **FOR FURTHER INFORMATION CONTACT FOR ADDRESS**).

Comments and data may be submitted by electronic mail (e-mail) to: a-and-r-docket@epa.gov. Electronic comments must be submitted as an ASCII file to avoid the use of special characters and encryption problems. Comments and data will also be accepted on Microsoft DOS formatted 3.5 inches high-density diskettes containing WordPerfect® 5.1 or 6.1, or ASCII formatted files. All comments and data submitted in electronic form must note the docket number: A-97-17. No confidential business information (CBI) should be submitted by e-mail. Electronic comments on this notice may be filed online at many Federal Depository Libraries.

*Public Hearing:* If a timely request for a public hearing is received, the hearing will be held at the EPA Office of Administration Auditorium, Research Triangle Park, North Carolina. Persons interested in attending such a hearing should contact Ms. Dorothy Apple at (919) 541-4487, Policy Planning and Standards Group (MD-13) to verify that a hearing will be held. The subject matter of any hearing will be strictly limited to the proposed revisions of the wastewater provisions for the AR, AMF, and PC source categories set forth in today's supplemental proposal.

*Docket:* A docket, No. A-97-17, containing information considered by the EPA in the development of the proposed and promulgated generic

MACT standards, is available for public inspection between 8:30 a.m. and 5:30 p.m., Monday through Friday (except for Federal holidays), at the following address: U.S. Environmental Protection Agency, Air and Radiation Docket and Information Center (MC-6102), 401 M Street, SW, Washington, DC 20460, telephone: (202) 260-7548. The EPA's Air Docket section is located at the above address in Room M-1500, Waterside Mall (ground floor). The proposed and final standards, and supporting information, are available for inspection and copying. A reasonable fee may be charged for copying.

**FOR FURTHER INFORMATION CONTACT:** For further information concerning this document, contact Mr. David W. Markwordt, Policy, Planning, and Standards Group, Emission Standards Division (MD-13), U.S. Environmental Protection Agency, Research Triangle Park, North Carolina 27711; telephone: (919) 541-0837; facsimile: (919) 541-0942; e-mail address: markwordt.david@epa.gov.

**SUPPLEMENTARY INFORMATION:****Plain Language**

In compliance with President Clinton's June 1, 1998 Executive Memorandum on Plain Language in government writing, this preamble is written using plain language. Thus, the use of "we" in this notice refers to the EPA. The use of "you" refers to the reader, and may include industry; State, local, and tribal governments; environmental groups; and other interested individuals.

On October 14, 1998 (63 FR 55178), we proposed a consolidated rulemaking that included generic MACT standards under section 112 of the Act for certain small source categories consisting of five or fewer sources. In a separate document published elsewhere in this separate part of the **Federal Register**, we are taking final action on nearly all aspects of that proposal, but we are deferring final action on the provisions applicable to process and maintenance wastewater and certain liquid streams in open systems.

**I. Comments Received on the Proposed Wastewater Provisions**

Commenters raised several issues related to the wastewater provisions proposed on October 14, 1998. One commenter provided that the proposed provisions did not specify the location for determining HAP concentration. The commenter stated that it seems appropriate to make this determination at the entrance to each wastewater treatment system unit. The commenter

recommended that a definition for "point of determination" be made and that references to "point of generation" be changed to "point of determination." The commenter also stated that an owner or operator should be allowed to use all of the test methods specified in the hazardous organic NESHAP (HON) when determining HAP concentrations in wastewater.

Another commenter stated that there was no information or requirements for treatment or destruction of wastewater streams leaving the process unit. The commenter noted that the proposal only required control of secondary emissions from equipment handling the wastewater stream.

Based on comments received, and an evaluation of the proposed process wastewater stream provisions, we agree that the proposed process wastewater stream provisions for the AR, AMF, and PC standards did not include adequate applicability procedures and treatment requirements. We also concluded that provisions were needed to address HAP emissions from maintenance wastewater and certain liquid streams in open systems. The final standards for these source categories that appear in today's **Federal Register** do not contain any wastewater provisions. Rather, we are reopening the comment period to specifically request additional comment on appropriate revisions of the wastewater provisions.

## II. Summary of Proposed Amendments

The proposed amendments incorporate and cross-reference appropriate wastewater provisions of the HON for the AR, AMF, and PC production source categories. The proposed amendments respond to comments received on the wastewater provisions on October 14, 1998. In addition, these amendments reflect our original intent regarding "point of determination" measurements and "treatment and destruction" requirements for process wastewater and that requirements for maintenance wastewater and liquid streams in open systems be included.

The proposed amendments for process wastewater, maintenance wastewater, and liquid streams in open systems directly refer to HON wastewater requirements. For process wastewater, you are required to make a group determination for each wastewater stream based on flow rate and organic HAP concentration. If a process wastewater stream is determined to be Group 1, you must comply with specific requirements for waste management units to suppress emissions, and requirements to treat the

wastewater streams to reduce the organic HAP concentration. The suppression requirements in the referenced sections of the HON are equivalent in stringency to the wastewater requirements that were proposed on October 14, 1998 for most emissions points associated with wastewater streams.

The maintenance wastewater provisions require, for each maintenance wastewater stream that contains organic HAP, that you develop and follow procedures to manage wastewaters generated during maintenance activities so that emissions are minimized. The proposed provisions for liquid streams in open systems apply to drain or drain hubs, manholes, lift stations, trenches, pipes, oil/water separators, and tanks, and require that you implement specific emission reduction techniques for each type of equipment.

We intend to take final action concerning the revised wastewater provisions for the AR, AMF, and PC source categories proposed today as expeditiously as practicable, but no later than November 15, 1999 (the revised date set forth in a proposed consent decree). For purposes of this rulemaking, we will consider only comments limited to the newly proposed process wastewater stream provisions for the AR, AMF, and PC production source categories (see IV. Solicitation of Comments).

## III. Summary of Impacts

We estimate that the impacts for air emissions will be negligible as the AMF, AR, and PC production affected sources that would be subject to these requirements are already well controlled. Similarly, water pollution and solid waste, and increases in energy use resulting from the use of control devices would be negligible. Based on previous impacts analyses associated with the application of the control and recovery devices required under the standards and because each of the three subject source categories have only five or fewer major sources, we believe that there will be minimal, if any, adverse environmental or energy impacts associated with the final standards.

Likewise, based on available information, we estimate that the cost and economic impacts of the proposed amendments to the promulgated standards for the three source categories being regulated will be insignificant or minimal. The economic analyses for each of the three source categories can be obtained from the dockets established for these source categories (see **ADDRESSES**).

## IV. Solicitation of Comments

As noted in section I of today's SNPR, commenters provided comment on the limitations of the proposed wastewater provisions. We evaluated their comments and realized that treatment provisions had inadvertently been omitted and that the applicability procedures were not adequate. The three source categories affected by the proposed wastewater provisions amendments (i.e., the AMF, AR, and PC production source categories) handle organic HAP waste streams similar to what is managed by the HON. Therefore, these proposed amendments directly reference HON wastewater provisions. We are soliciting comment on the appropriateness of these HON wastewater provisions for the AR, AMF, and PC production source categories.

## V. Administrative Requirements

### A. Docket

The docket is an organized and complete file of the administrative record compiled by the EPA in the development of the rule. The docket is a dynamic file, since 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 statement of basis and purpose of the proposed and promulgated standards and EPA responses to significant comments, the contents of the docket will serve as the record in case of judicial review (except for interagency review materials) (see 42 U.S.C. 7607(d)(7)(A)).

### B. Paperwork Reduction Act

The information collection requirements associated with this supplemental notice of proposed rulemaking do not add to the promulgated rule information collection requirements. The information collection requirements of the promulgated rule for the Generic MACT standards were submitted for approval to the Office of Management and Budget (OMB) under the *Paperwork Reduction Act*, 44 U.S.C. 3501, *et seq.* Under the promulgated rule, an Information Collection Request (ICR) document was prepared by the EPA (ICR No. 1871.02) and a copy may be obtained from Sandy Farmer, OPPE Regulatory Information Division, U.S. Environmental Protection Agency (2137), 401 M Street, S.W., Washington, DC 20460, or by calling (202) 260-2740.

### C. Executive Order 12866

Under Executive Order 12866 (58 FR 51735, October 4, 1993), the EPA must determine whether a regulatory action is "significant" and therefore subject to OMB review and the requirements of the Executive Order. The Order defines "significant regulatory action" as one that 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.

Today's SNPR is a significant action under the terms of Executive Order 12866 because the proposed amendments for AR, AMF, and PC production do constitute a "significant regulatory action" as defined under Executive Order 12866.

### D. Executive Order 12875

Under Executive Order 12875, the EPA may not issue a regulation that is not required by statute and that creates a mandate upon a State, local or tribal government, unless the Federal government provides the funds necessary to pay the direct compliance costs incurred by those governments, or EPA consults with those governments. If the EPA complies by consulting, Executive Order 12875 requires the EPA to develop an effective process permitting elected officials and other representatives of State, local and tribal governments "to provide meaningful and timely input in the development of regulatory proposals containing significant unfunded mandates." Today's proposed amendments implement requirements specifically set forth by the Congress in section 112 of the Act without the exercise of any discretion by the EPA. Accordingly, the requirements of section 1(a) of Executive Order 12875 do not apply to this rule.

### E. Executive Order 13045

Executive Order 13045, entitled Protection of Children from Environmental Health Risks and Safety

Risks (62 FR 19885, April 23, 1997), applies to any rule that the EPA determines (1) is economically significant as defined under Executive Order 12866, and (2) the environmental health or safety risk addressed by the rule has 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.

This proposed amendments are not subject to Executive Order 13045 because it is not an economically significant regulatory action as defined by Executive Order 12866. No children's risk analysis was performed for this rulemaking because the agency does not have the data necessary to conduct such analysis, and cannot obtain such data with available resources.

### F. Executive Order 13084

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 cost 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." Today's rule implements requirements specifically set forth by Congress in section 112 of the Act without the exercise of any discretion by the EPA. Accordingly, the requirements of section 3(b) of Executive Order 13084 do not apply to this rule.

### G. Regulatory Flexibility Act/Small Business Regulatory Enforcement Fairness Act of 1996

The RFA of 1980 (5 U.S.C. 601, *et seq.*), as amended by the Small Business Regulatory Enforcement Fairness Act of 1996 (SBREFA), 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.

Today's action is not subject to the requirements of the RFA as modified by SBREFA because it does not impose any regulatory requirements on small entities.

### H. Unfunded Mandates Reform Act of 1995

Under section 202 of the Unfunded Mandates Reform Act of 1995 ("Unfunded Mandates Act"), signed into law on March 22, 1995, the EPA must prepare a budgetary impact statement to accompany any proposed or final rule that includes a Federal mandate that may result in estimated costs to State, local, or tribal governments in the aggregate, or to the private sector, of \$100 million or more in any one year. Under section 205, the EPA must select the most cost-effective and least burdensome alternative that achieves the objectives of the rule and is consistent with statutory requirements. Section 203 requires the EPA to establish a plan for informing and advising any small governments that may be significantly or uniquely impacted by the rule.

Because the promulgated rule and this supplemental notice of proposed rulemaking do not include a Federal mandate and is estimated to result in expenditures less than \$100 million in any one year by State, local, and tribal governments, 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 would not be significantly or uniquely affected by this rule, the EPA is not required to develop a plan with regard to small governments. Therefore, the requirements of the UMRA do not apply to this action.

### I. National Technology Transfer and Advancement Act

Section 12(d) of the National Technology Transfer and Advancement Act of 1995 (the NTAA), 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 voluntary consensus standard bodies. The NTTAA requires the EPA to provide Congress, through OMB, explanations when the Agency decides not to use available and applicable voluntary consensus standards.

This action does not involve the proposal of any new technical standards. It does, however, incorporate by reference existing technical standards, including government-unique technical standards. The technical standards proposed with this action are standards that have been proposed and promulgated under other rulemakings for similar source control applicability and compliance determinations. The EPA solicits comment on the identification of potentially-applicable voluntary consensus standards that could be used in lieu of standard proposed under today's action. The EPA request that submitted comments include an explanation why such standards should be used in lieu of those proposed.

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 that can then be evaluated for equivalency and applicability in determining compliance with future regulations.

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

Environmental protection, Acetal resins production, Acrylic and modacrylic fiber production, Administrative practice and procedure, Air pollution control, Hazardous substances, Intergovernmental relations, Polycarbonates production, Process wastewater streams, Reporting and recordkeeping requirements.

Dated: May 14, 1999.

**Carol M. Browner,**  
Administrator.

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

### PART 63—NATIONAL EMISSION STANDARDS FOR HAZARDOUS AIR POLLUTANTS FOR SOURCE CATEGORIES

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

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

#### Subpart YY—National Emission Standards for Hazardous Air Pollutants for Source Categories: Generic Maximum Achievable Control Technology Standards

2. Section 63.1100 is amended by adding paragraph (g)(5) to read as follows:

##### § 63.1100 Applicability.

\* \* \* \* \*

(g) \* \* \*

(5) *Overlap of subpart YY with other regulations for wastewater.* (i) After the compliance dates specified in § 63.1102 for an affected source subject to this subpart, wastewater streams that are subject to the wastewater requirements of this subpart and the wastewater requirements of subparts F, G, and H of this part (collectively known as the "HON") are in compliance with the requirements of this subpart if it complies with either such requirement.

(ii) After the compliance dates specified in § 63.1102 for an affected source subject to this subpart, wastewater streams that are subject to control requirements in the Benzene Waste NESHAP (subpart FF of part 61 of this chapter) and this subpart are required to comply with both subpart FF of part 61 of this chapter and this subpart.

3. Section 63.1101 is amended by adding definitions in alphabetical order to read as follows:

##### § 63.1101 Definitions.

\* \* \* \* \*

*Annual average concentration*, as used in the wastewater provisions, means the flow-weighted annual average concentration, as determined according to the procedures specified in § 63.144(b).

*Annual average flow rate*, as used in the wastewater provisions, means the annual average flow rate, as determined according to the procedures specified in § 63.144(c).

\* \* \* \* \*

*Group 1 wastewater stream* means a process wastewater stream at an existing or new source that meets the criteria for Group 1 status in § 63.132(c).

*Group 2 wastewater stream* means a process wastewater stream that does not

meet the definition of a Group 1 wastewater stream.

\* \* \* \* \*

*Maintenance wastewater* means wastewater generated by the draining of process fluid from components in the chemical manufacturing process unit into an individual drain system prior to or during maintenance activities. Maintenance wastewater can be generated during planned and unplanned shutdowns and during periods not associated with a shutdown. Examples of activities that can generate maintenance wastewaters include descaling of heat exchanger tubing bundles, cleaning of distillation column traps, draining of low legs and high point bleeds, draining of pumps into an individual drain system, and draining of portions of the chemical manufacturing process unit for repair.

\* \* \* \* \*

*Oil-water separator* or *organic-water separator* means a waste management unit, generally a tank used to separate oil or organics from water. An oil-water or organic-water separator consists of not only the separation unit but also the forebay and other separator basins, skimmers, weirs, grit chambers, sludge hoppers, and bar screens that are located directly after the individual drain system and prior to additional waste management units such as an air flotation unit, clarifier, or biological treatment unit. Examples of an oil-water or organic-water separator include, but are not limited to, an American Petroleum Institute separator, parallel-plate interceptor, and corrugated-plate interceptor with the associated ancillary equipment.

\* \* \* \* \*

*Point of determination* means each point where process wastewater exits the chemical manufacturing process unit.

**Note to definition for "Point of determination":** This subpart allows determination of the characteristics of a wastewater stream: At the point of determination; or downstream of the point of determination if corrections are made for changes in flow rate and annual average concentration of Table 9 compounds as determined in § 63.144. Such changes include losses by air emissions; reduction of annual average concentration or changes in flow rate by mixing with other water or wastewater streams; and reduction in flow rate or annual average concentration by treating or otherwise handling the wastewater stream to remove or destroy hazardous air pollutants.

\* \* \* \* \*

*Process wastewater* means wastewater which, during manufacturing or processing, comes into direct contact

with or results from the production or use of any raw material, intermediate product, finished product, by-product, or waste product. Examples are product tank drawdown or feed tank drawdown, water formed during a chemical reaction or used as a reactant; water used to wash impurities from organic products or reactants; equipment washes between batches in a batch process; water used to cool or quench organic vapor streams through direct contact; and condensed steam from jet ejector systems pulling vacuum on vessels containing organics.

*Process wastewater stream* means a stream that contains process wastewater.

\* \* \* \* \*

*Table 9 compounds* means compounds listed in Table 9 of subpart G of this part.

\* \* \* \* \*

*Wastewater* is either a process wastewater or a maintenance wastewater and means water that:

(1) Contains either:

(i) An annual average concentration of Table 9 compounds of at least 5 parts per million by weight at the point of determination and has an annual average flow rate of 0.02 liter per minute or greater; or

(ii) An annual average concentration of Table 9 compounds of at least 10,000 parts per million by weight at the point of determination at any flow rate; and

(2) Is discarded from a chemical manufacturing process unit.

*Wastewater stream* means a stream that contains wastewater.

4. Section 63.1103 is amended in table 1 in paragraph (a) by adding in numerical order entries 6, 7, and 8; in table 2 in paragraph (b)(3)(i) by adding in numerical order entries 8, 9, and 10; in table 5 in paragraph (d) by adding in numerical order entries 7, 8, and 9; and in table 6 in paragraph (d) by adding in numerical order entries 6, 7, and 8 to read as follows:

**§ 63.1103 Source category-specific applicability, definitions, and requirements.**

(a) \* \* \*

TABLE 1 TO § 63.1103(A).—WHAT ARE MY REQUIREMENTS IF I OWN OR OPERATE AN ACETAL RESINS PRODUCTION EXISTING OR NEW AFFECTED SOURCE?

If you own or operate . . .	And if . . .	Then you must . . .
* * * *	* * * *	* * * *
6. An acetal resins production process unit that generates process wastewater.	The process wastewater stream is a Group 1 wastewater stream.	Comply with the requirements of § 63.1106(a).
7. An acetal resins production process unit that generates maintenance wastewater.	The maintenance wastewater contains organic HAP.	Comply with the requirements of § 63.1106(b).
8. An item of equipment listed in § 63.1106(c)(1).	The item of equipment meets the criteria specified in § 63.1106(c)(1) through (3) and either (c)(4)(i) or (ii).	Comply with the requirements in Table 35 of subpart G of this part.

\* \* \* \* \*

(b) \* \* \*

(3) \* \* \*

(i) \* \* \*

TABLE 2. TO § 63.1103(B)(3)(I).—WHAT ARE MY REQUIREMENTS IF I OWN OR OPERATE AN ACRYLIC AND MODACRYLIC FIBER PRODUCTION EXISTING OR NEW AFFECTED SOURCE AND AM COMPLYING WITH PARAGRAPH (B)(3)(I) OF THIS SECTION?

If you own or operate . . .	And if . . .	Then you must . . .
* * * *	* * * *	* * * *
8. An acrylic and modacrylic fiber production process unit that generates process wastewater.	The process wastewater stream is a Group 1 wastewater stream.	Comply with the requirements of § 63.1106(a).
9. An acrylic and modacrylic fiber production process unit that generates maintenance wastewater.	The maintenance wastewater contains organic HAP.	Comply with the requirements of § 63.1106(b).
10. An item of equipment listed in § 63.1106(c)(1).	The item of equipment meets the criteria specified in § 63.1106(c)(1) through (3) and either (c)(4)(i) or (ii).	Comply with the requirements in Table 35 of subpart G of this part.

\* \* \* \* \*

(d) \* \* \*

TABLE 5 TO § 63.1103(D).—WHAT ARE MY REQUIREMENTS IF I OWN OR OPERATE A POLYCARBONATE PRODUCTION EXISTING AFFECTED SOURCE?

If you own or operate . . .	And if . . .	Then you must . . .
* * * *	* * * *	* * * *
7. A polycarbonate production process unit that generates process wastewater.	The process wastewater stream is a Group 1 wastewater stream.	Comply with the requirements of § 63.1106(a).

TABLE 5 TO § 63.1103(D).—WHAT ARE MY REQUIREMENTS IF I OWN OR OPERATE A POLYCARBONATE PRODUCTION EXISTING AFFECTED SOURCE?—Continued

If you own or operate . . .	And if . . .	Then you must . . .
8. A polycarbonate production process unit that generates maintenance wastewater.	The maintenance wastewater contains organic HAP.	Comply with the requirements of § 63.1106(b).
9. An item of equipment listed in § 63.1106(c)(1).	The item of equipment meets the criteria specified in § 63.1106(c)(1) through (3) and either (c)(4)(i) or (ii).	Comply with the requirements in Table 35 of subpart G of this part.
*	*	*

Table 6 to § 63.1103(d).—What Are My Requirements if I Own or Operate a Polycarbonate Production New Affected Source?

If you own or operate . . .	And if . . .	Then you must . . .
*	*	*
6. A polycarbonate production process unit that generates process wastewater.	The process wastewater stream is a Group 1 wastewater stream.	Comply with the requirements of § 63.1106(a).
7. A polycarbonate production process unit that generates maintenance wastewater.	The maintenance wastewater contains organic HAP.	Comply with the requirements of § 63.1106(b).
8. An item of equipment listed in § 63.1106(c)(1).	The item of equipment meets the criteria specified in § 63.1106(c)(1) through (3) and either (c)(4)(i) or (ii).	Comply with the requirements in Table 35 of subpart G of this part.

\* \* \* \* \*

5. Section 63.1106 is added to subpart YY to read as follows:

**§ 63.1106 Wastewater provisions.**

(a) *Process wastewater.* Except as specified in paragraphs (a)(1) through (a)(16) and (d) of this section, the owner or operator of each affected source shall comply with the HON process wastewater requirements in §§ 63.132 through 63.148.

(1) When terms used in §§ 63.132 through 63.148 are defined in § 63.1101, the definition in § 63.1101 shall apply, for the purposes of this subpart. For terms used in §§ 63.132 through 63.148 that are not defined in § 63.1101, the definitions in § 63.101 and § 63.111 shall apply.

(2) When the term chemical manufacturing production process unit, or CMPU, is used in § 63.132 through 63.148, the phrase "a process unit whose primary product is a product produced by a source category subject to this subpart" shall apply, for the purposes of this subpart.

(3) Owners and operators of affected sources are not required to comply with § 63.132(b)(1) and (d) and § 63.138(c). Further, owners and operators are exempt from all requirements in §§ 63.132 through 63.148 that pertain solely and exclusively to organic HAP listed in table 8 of subpart G of this part.

(4) When the determination of equivalence criteria in § 63.102(b) is referred to in §§ 63.132, 63.133, and 63.137, the alternative nonopacity

emission standard provisions in § 63.6(g) shall apply, for the purposes of this subpart.

(5) When the HON storage vessel requirements for internal floating roofs contained in §§ 63.119(b) are referred to in § 63.133(a)(2)(ii), the requirements in § 63.1063(a)(1)(i), (2), and (b) shall apply, for the purposes of this subpart.

(6) When the HON storage vessel requirements for external floating roofs in § 63.119(c) and § 63.120(b)(5) and (6) are referred to in § 63.133(a)(2)(iii) and (d), the requirements in § 63.1063(a)(1)(ii), (2), and (b) shall apply, for the purposes of this subpart.

(7) For the purposes of this subpart, § 63.1063(c)(2)(iv) shall apply instead of § 63.133(e).

(8) When § 63.143(c), (d), (e)(3) and § 63.146(a) require the submission of a request for approval to monitor alternative parameters according to the procedures specified in § 63.151(f) or (g), the owner or operator requesting to monitor alternative parameters shall follow the procedures specified in § 63.1108(c) or as specified in a referenced subpart.

(9) When § 63.147(d) requires the owner or operator to keep records of the daily average value of each continuously monitored parameter for each operating day as specified in § 63.152(f), the owner or operator shall keep records of each continuously monitored parameter for each operating day as specified in § 63.998(b).

(10) When § 63.132(a) and (b) refer to the "applicable dates specified in

§ 63.100 of subpart F of this part," the applicable compliance dates specified in § 63.1102 shall apply, for purposes of this subpart.

(11) Where § 63.152(b) and/or the Notification of Compliance Status is referred to in § 63.132 through 63.148, the Notification of Compliance Status requirements contained in § 63.1110(a)(3) shall apply, for purposes of this subpart.

(12) Where § 63.152(c) and/or the Periodic Report requirements are referred to § 63.132 through 63.148, the Periodic Report requirements contained in § 63.1110(a)(4) shall apply, for purposes of this subpart.

(13) When Method 18 of appendix A to part 60 of this chapter is specified in § 63.139(e)(1)(ii), § 63.145(d)(4), or § 63.145(i)(2), either Method 18 or Method 25A of appendix A to part 60 of this chapter may be used. The use of Method 25A of appendix A to part 60 of this chapter shall comply with paragraphs (a)(13)(i) and (a)(13)(ii) of this chapter.

(i) The organic HAP used as the calibration gas for Method 25A of appendix A of part 60 of this chapter shall be the single organic HAP representing the largest percent by volume of the emissions.

(ii) The use of Method 25A of appendix A of part 60 of this chapter is acceptable if the response from the high-level calibration gas is at least 20 times

the standard deviation of the response from the zero calibration gas when the instrument is zeroed on the most sensitive scale.

(14) When the HON recordkeeping requirements for by-pass lines in § 63.118(a)(3) is referred to in § 63.148(f), the requirements in § 63.998(d)(1)(ii)(A) shall apply, for the purposes of this subpart.

(15) When the Initial Notification requirements in § 63.182(b) are referred to in § 63.148(j), the requirements in § 63.1110(c) shall apply, for the purposes of this subpart.

(16) For the purposes of this subpart, § 63.148(k) shall not apply.

(b) *Maintenance wastewater.* The owner or operator of each affected source shall comply with the HON maintenance wastewater requirements in § 63.105. When terms used in §§ 63.105 are defined in § 63.1101, the definition in § 63.1101 shall apply, for the purpose of this subpart. For terms used in § 63.105 that are not defined in § 63.1101, the definitions in § 63.101 and § 63.111 shall apply.

(c) *Liquid streams in open systems.* The owner or operator shall comply with the provisions of Table 35 of subpart G of this part for each item of equipment meeting the criteria specified in paragraphs (c)(1) through (3) of this section and either paragraph (c)(4)(i) or (ii) of this section, with the exceptions

provided in paragraphs (c)(5) and (6) of this section.

(1) The item of equipment is one of the types of equipment identified in paragraphs (c)(1)(i) through (vii) of this section.

(i) Drain or drain hub.

(ii) Manhole (including sumps and other points of access to a conveyance system).

(iii) Lift station.

(iv) Trench.

(v) Pipe.

(vi) Oil/water separator.

(vii) Tanks with capacities of 38 m<sup>3</sup> or greater.

(2) The item of equipment is part of an affected source that is subject to this subpart.

(3) The item of equipment is controlled less stringently than in Table 35 of subpart G of this part, and the item of equipment is not otherwise exempt from the provisions of this subpart, or a referenced subpart.

(4) The item of equipment:

(i) Is a drain, drain hub, manhole, lift station, trench, pipe, or oil/water separator that conveys water with a total annual average concentration greater than or equal to 10,000 parts per million by weight of Table 9 compounds at any flow rate; or a total annual average concentration greater than or equal to 1,000 parts per million by weight of Table 9 compounds at an annual average flow rate greater than or equal to 10 liters per minute.

(ii) Is a tank that receives one or more streams that contain water with a total annual average concentration greater than or equal to 1,000 parts per million by weight of Table 9 compounds at an annual average flow rate greater than or equal to 10 liters per minute. The owner or operator shall determine the characteristics of the stream as specified in paragraphs (c)(4)(ii)(A) and (B) of this section.

(A) The characteristics of the stream being received shall be determined at the inlet to the tank.

(B) The characteristics shall be determined according to the procedures in § 63.144(b) and (c).

(5) When terms used in Table 35 of subpart G of this part are defined in § 63.1101, the definition in § 63.1101 shall apply, for the purpose of this subpart. For terms used in Table 35 of subpart G of this part that are not defined in § 63.1101, the definitions in § 63.101 and § 63.111 shall apply.

(6) When Table 35 of subpart G of this part refers to § 63.119(e)(1) or (e)(2) in the requirements for tanks, the requirements in § 63.982(a)(1) shall apply, for purposes of this subpart.

(d) The compliance date for the affected sources subject to the provisions of this section is specified in § 63.1102.

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