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 U.S. Comptroller General prior to publication of the rule in the **Federal Register**. This rule is not a ''major rule'' as defined by 5 U.S.C. 804(2).

H. Petitions for Judicial Review

Under section 307(b)(1) of the CAA, petitions for judicial review of this action must be filed in the United States Court of Appeals for the appropriate circuit by October 18, 1999. Filing a petition for reconsideration by the Administrator of this final rule does not affect the finality of this rule for the purposes of judicial review, nor does it extend the time within which a petition for judicial review may be filed, and shall not postpone the effectiveness of such rule or action. This action may not be challenged later in proceedings to enforce its requirements. (See section 307(b)(2).)

List of Subjects in 40 CFR Part 62

Environmental protection, Air pollution control, Intergovernmental relations, Reporting and recordkeeping requirements.

Dated: August 4, 1999.

William Rice,

Acting Regional Administrator, Region VII.

Chapter I, Title 40 of the Code of Federal Regulations is amended as follows:

PART 62—[AMENDED]

1. The authority citation for Part 62 continues to read as follows:

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

Subpart AA—Missouri

2. Subpart AA is amended by adding section 62.6358 and an undesignated center heading to read as follows:

Air Emissions From Existing Hospital/ Medical/Infectious Waste Incinerators

§ 62.6358 Identification of plan.

(a) Identification of plan. Missouri plan for the control of air emissions from hospital/medical/infectious waste incinerators submitted by the Missouri Department of Natural Resources on June 15, 1999.

(b) Identification of sources. The plan applies to existing hospital/medical/ infectious waste incinerators constructed on or before June 20, 1996.

(c) Effective date. The effective date of the plan is October 18, 1999.

[FR Doc. 99–21309 Filed 8–18–99; 8:45 am]

BILLING CODE 6560–50–P

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 63

[AD–FRL–6419–5]

National Emission Standards for Hazardous Air Pollutants: Halogenated Solvent Cleaning

AGENCY: Environmental Protection Agency (EPA).

ACTION: Direct final rule.

SUMMARY: On December 2, 1994, the EPA issued the ''National Emission Standards for Hazardous Air Pollutants: Halogenated Solvent Cleaning'' (59 FR 61801). Today's action offers 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 approving these amendments to ensure that all owners or operators of solvent cleaning machines have appropriate and attainable requirements for their cleaning machines.

DATES: This direct final rule will be effective on October 18, 1999 without further notice, unless the EPA receives adverse comments by September 20, 1999. If we receive any adverse comment, we will publish a timely withdrawal in the **Federal Register** informing the public that this rule will not take effect.

ADDRESSES: Written comments should be submitted (in duplicate, if possible) to: Air and Radiation Docket and Information Center (MC–6102), Attention Docket Number A–92–39, Room M–1500, U.S. Environmental Protection Agency, 401 M Street, SW, Washington, DC 20460. The EPA requests that a separate copy of each public comment be sent to the contact person listed below (see **FOR FURTHER INFORMATION CONTACT**).

FOR FURTHER INFORMATION CONTACT: For information concerning the standards and the proposed changes, contact Mr. Paul Almodóvar, 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: The EPA is publishing this rule without prior proposal because we view this as a noncontroversial amendment and do not anticipate adverse comment. The changes to the compliance requirements for continuous web cleaning machines provide the only reasonable method available to those cleaning machines to comply with the maximum achievable control technology (MACT) level of control. The EPA considers these revised requirements to be comparable to the requirements previously promulgated for other cleaning machines. However, in the ''Proposed Rules'' section of today's **Federal Register**, we are publishing a separate document that will serve as the proposal in the event that adverse comments are filed. This rule will be effective on October 18, 1999 without further notice unless we receive any adverse comment by September 20, 1999. If we receive any adverse comment, we will publish a timely withdrawal in the **Federal Register** informing the public that the rule will not take effect. We will address all public comments in a subsequent final rule based on the proposed rule. We will not institute a second comment period on this action. Any parties interested in commenting must do so at this time.

Regulated Entities

The following entities are potentially regulated by this direct 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, company, or organization is regulated by this direct 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 direct final rule to a particular entity, consult the person listed in the preceding **FOR FURTHER INFORMATION CONTACT** section.

Organization of This Document

The information presented in this preamble is organized as follows:

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. That rule included requirements for batch and in-line cleaning machines and included 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 initial 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 agreed with these comments and on December 11, 1998 (63 FR 68397) extended the compliance date for continuous web cleaning machines to December 2, 1999.

B. What Is the Purpose of This Direct Final Rule?

This direct final rule does two things. First, it promulgates alternative compliance requirements for continuous web cleaning machines. A continuous web cleaning machine is a cleaning machine that cleans a continuous web part at speeds in excess of 11 feet per minute. Changes to the rule impacting continuous web cleaning machines are discussed in section II.A of this direct final rule. Second, this direct final rule makes two minor changes, discussed in section II.B, which are the only changes that impact cleaning machines other than continuous web cleaning machines.

C. Does This Rule Apply to Me?

You are subject to the HSC NESHAP if you are the owner or operator of a halogenated solvent cleaning machine. A halogenated solvent cleaning machine is any piece of equipment used to remove soil if the solvent used in the machine contains more than 5 percent in total of any of the following halogenated solvents: perchloroethylene; methylene chloride; 1,1,1-trichloroethane (also known as methyl chloroform); trichloroethylene; carbon tetrachloride; and chloroform.

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

The changes contained in today's direct final rule 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.A.)

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

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. New Requirements for Continuous Web Cleaning Machines

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 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. These units tend to be used in two distinct areas: (1) Movie film cleaning and (2) 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 only currently identified continuous web cleaning machines used to clean metal products, these machines may clean nonmetal products which would also be covered by this rule.

The EPA considered both of the above types of continuous web cleaning machines when developing the changes discussed today.

B. What 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 changes are equivalent to those codified at 40 CFR part 63, subpart T, and include new equivalent controls for some existing requirements 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 requirements if your continuous web cleaning machine meets other specific requirements. These requirements include a properly designed, operated, and maintained system to eliminate visible carryout 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 be equal to the MACT level of control established for the listed control combinations.

3. A Clarification That There is No Freeboard Ratio 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 requirement applies.

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 Did EPA Develop These Changes?

The EPA evaluated all data received on continuous web cleaning machines from the industry. The EPA contacted some facilities for additional data and identified several facilities for site visits. The EPA conducted several site visits and was able to gather additional data on the unique design and operational requirements of continuous web cleaning machines. Based on these data, EPA evaluated how continuous web cleaning machines best fit into the HSC NESHAP promulgated in 1994 and identified changes to be made. The inability of some continuous web cleaning machines to comply with the rule is a result of differences between those machines and the cleaning machines used as the basis for the HSC NESHAP promulgated in 1994.

The first step in EPA's analysis was to determine whether existing compliance options could be used for continuous web cleaning machines. The only option available that did not include a maximum hoist speed requirement was the alternative standard included in § 63.464.

This option has only an overall solvent emission rate, with no design or work practice requirements. The EPA concluded that the continuous web cleaning machines were not candidates for the alternative standard. In addition, the overall solvent emission rates were established based on an infrequently used solvent cleaning machine, not on a continuous web cleaning machine. As the name suggests, continuous web cleaning machines tend to be operated on a continuous or near-continuous basis. Since compliance with this alternative standard was not viable, EPA then looked at the primary standards.

In general, continuous web cleaning machines could be brought into compliance with the requirements of the HSC NESHAP but for the following two requirements.

- The design requirement of § 63.463(a)(3) that ''each cleaning machine shall have an automated parts handling system capable of moving parts or parts baskets at a speed of 11 feet per minute or less from the initial loading of parts through the removal of cleaned parts.''
- The requirement for a ''dwell'' that is included in two of the four compliance options available for existing in-line cleaning machines.

The changes that were needed in the HSC NESHAP were due to potential issues with the following requirements:

- The design requirement of § 63.463(a)(2) that each ''cleaning machine shall have a freeboard ratio of 0.75 or greater.''
- The work practice requirement of § 63.463(d)(12) that ''sponges, fabric, wood, and paper products shall not be cleaned.''
- The design requirement for superheated vapor technology in one of the options for existing cleaning machines and two of the options for new cleaning machines.

Each of the changes deemed necessary to address these issues is discussed below.

1. Maximum Hoist Speed and Dwell Requirements

Continuous web cleaning machines are different from other solvent cleaning machines—they are designed to clean parts traveling at a high rate of speed. In addition, the ''part'' being cleaned, the continuous web part, is a long strip of material that is never totally within the parts cleaning machine. The part moves through the cleaning machine such that one end of the part exits the machine before the other end enters. Therefore, there is no opportunity to meet a dwell requirement.

When evaluating equivalency of alternative controls, it is important to understand the reason for the requirements in the original HSC NESHAP. Limiting part speed was required for two primary reasons:

- To limit liquid carryout on the part being cleaned caused by improper draining and improper cycle time.
- To limit the vapor disturbance or vapor carryout caused by parts moving through the solvent cleaning machine too quickly.

Similarly, a proper dwell time also limits carryout emissions. First, dwell allows the part extra time within the freeboard for liquid or vapor solvent to flash off and/or drain back into the solvent tank. Stopping below the vapor zone of a vapor cleaner, as required by a dwell under this rule, also tends to limit the speed that the part is traveling as it goes through the vapor zone. The dwell is particularly beneficial when the part has large pieces sticking out that can capture solvent liquid or vapor and remove it from the machine as the part is removed.

Based on observations made during the site visits to facilities with continuous web cleaning machines, EPA has concluded that properly operated squeegees and/or air knives are capable of controlling emissions to at least the same degree as a reduced parts speed for continuous web parts. Air knives and squeegee systems on a continuous web part remove essentially all of the solvent that remains on the part. These systems likely exceed the performance of a reduced hoist speed, in and of itself, because the effectiveness of a reduced hoist speed on emissions is dependent on other factors, such as the part shape and orientation. These air knives and squeegees work on continuous web cleaning machines to a higher efficiency than on traditional units because the part being cleaned is flat. Therefore, there is nothing to trap the solvent liquid or vapors.

In order to ensure that all of the emission reductions associated with reduced parts speed and a dwell are realized, however, you will need to minimize the openings for part entrance and exit into the cleaning machine. The EPA observed minimized entry and exit openings in all cases that were evaluated during the development of these alternatives.

As with any other control, improperly operated or maintained squeegees or air knives can quickly eliminate any potential emission reductions. A part exiting a well-maintained squeegee or air knife system will be visibly dry. However, a part exiting an improperly maintained machine would have a thin film of solvent left on the surface. This film evaporates quickly after exiting the machine, which results in a much larger solvent loss rate. The new requirements in this direct final rule include requirements that ensure proper operation of these carryout reducing devices.

2. Carbon Adsorption Units on Continuous Web Cleaning Machines

When the EPA evaluated continuous web cleaning machines, we noticed an inherent benefit of these cleaning machines over typical machine design. This difference was particularly noticeable on film cleaning machines. The portion of film cleaning machines where solvent is applied tends to be enclosed and then vented to prevent solvent contamination of the expensive film. In these machines, the area surrounding the film take-up reel is also within an enclosed area and is often vented as well. When solvent is being used, the doors to the machines are closed. The exhaust from these machines is often vented to a carbon adsorber. The overall effectiveness of the carbon adsorber in these applications far exceeded the overall control efficiency calculated for other solvent cleaning machines during the rule development. A control efficiency of 65 percent was used for carbon adsorbers when a machine was actively cleaning parts. When combined with other controls and accounting for times when the machine was not operating, the overall control efficiencies that were used as the basis for existing and new machines was 60 and 70 percent, respectively.

Based on the information gathered on film cleaning machines, the EPA has concluded that the use of a carbon adsorption system on a properly operated and maintained unit will ensure emission reductions that are at least as effective as the controls established as MACT in the promulgated rule. For example, one continuous web cleaning machine using a carbon adsorption system observed by the EPA cleaned over 3,500 square feet of product per gallon of solvent used. Therefore, the use of a carbon adsorption system demonstrated to provide an overall control effectiveness of 70 percent (*i.e.*, capture efficiency times removal efficiency) is an alternative to the promulgated options for continuous web cleaning machines.

3. Freeboard Ratio Requirements for Remote Reservoir Machines

The HSC NESHAP includes a design requirement for a freeboard ratio of at least 0.75 for all in-line cleaning machines. In two of the compliance options for new in-line cleaning machines, a freeboard ratio of 1.0 is required. However, some continuous web cleaning machines do not have an exposed sump. These remote reservoir continuous web cleaning machines are more similar to the remote reservoir batch cold cleaning machines. In the HSC NESHAP, batch cold cleaning machines that have a remote reservoir are excluded from the freeboard requirement that other batch cold cleaning machines must have.

The EPA has concluded that the same reasons that justify remote batch cold cleaning machines not being required to maintain a minimum freeboard ratio also apply to continuous web cleaning machines. In all of these machines, the primary cleaning mechanism is from solvent sprayed on the parts through nozzles. The solvent then typically drains into a sump that has minimal openings which in many cases are also covered. In all cases, the opportunity for evaporation and for air disturbances is minimized. Therefore, EPA has also concluded that the exclusion from a freeboard requirement should also apply to remote reservoir continuous web cleaning machines. This exclusion has been added to the rule.

4. Cleaning of Absorbent Materials

The prohibition on cleaning absorbent materials in a halogenated solvent cleaning machine may cause problems for some continuous web cleaning machines. This prohibition was included because any absorbent materials that were cleaned in the machine would be solvent laden when removed from the machine. Removal of solvent laden parts would be a large source of emissions. Some continuous web cleaning machines use some absorbent materials, such as cloth rollers, in the cleaning process.

The EPA did not intend to prohibit the use of absorbent materials as part of the cleaning mechanism in a machine. Since these absorbent materials would not be removed from the machine after each cleaning, no emissions from these materials would occur during each cleaning cycle. However, once these materials are removed from the cleaning machine, they would be solvent laden, and emissions would occur if the absorbent cleaning materials were not properly handled.

The ability to use absorbent materials as part of the cleaning machine is clarified in today's direct final rule. However, any rollers or other absorbent materials that are removed from continuous web cleaning machines must be treated as hazardous waste and disposed of as required by applicable hazardous waste rules.

5. Superheated Vapor Technology

The purpose of superheated technology is to heat the part(s) to evaporate even the thin layer of solvent film that can exist after solvent cleaning. This is typically achieved by the introduction of superheated vapor into an enclosed portion of a cleaner. The superheated vapor then heats the part(s) to above the boiling point of the solvent. Any solvent, even the typical solvent film, on the surface of a part is virtually eliminated by this process. The remaining problem for most cleaning machines is the vapor entrainment on the part(s).

This technique and its effective emission reductions are not dependent on external forces providing the heating (*i.e.*, vapors contacting a part to heat it). Therefore, any process that effectively raises the temperature of the part above the boiling point of the solvent should achieve the same effect. This would include any physical process that raises the temperature of the part itself.

For example, some of the continuous materials being cleaned are metal rods or wires. These parts are often sent through processes that reduce their circumference, such as through the use of a die. This process is generally exothermic and the part can become heated to several hundred degrees. If the temperature of the part is heated to above the boiling point of the solvent, the same emission reductions achieved by the superheated vapor technology should be obtained. In fact, by not reintroducing solvent, the emission reductions may actually increase. In today's direct final rule, a new term, superheated part technology, has been added as an alternative to superheated vapor technology in all options that include a superheated vapor requirement.

6. Additional Clarification for Primary Condensers

An additional issue arose during the evaluation of the equivalent control devices. While already included in the promulgated rule, EPA wishes to clarify a point concerning freeboard refrigeration devices on continuous web cleaning machines. The purpose of a primary condenser is to condense vapors that rise out of the boiling sump. On the other hand, a freeboard refrigeration device creates a cool air blanket to limit diffusion. Primary coils can serve as a freeboard refrigeration device under certain conditions for vapor cleaners. However, many continuous web cleaning machines are not vapor cleaning machines; therefore, no requirement for a primary condensing coil applies to these units. Even if the continuous web cleaning machines were vapor cleaning machines, the rule allows for primary coils to be considered a freeboard refrigeration device if the required temperature of the air blanket is created within the freeboard area. Therefore, the ability to use any type of cooling coils as a freeboard refrigeration device is emphasized and clarified for continuous web cleaning machines.

D. How Do I Know if My Machine is ''New'' or an ''Existing'' Continuous Web Cleaning Machine?

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

E. When Must I Comply With These New Requirements?

You must comply with these requirements by December 12, 1999 for both your new and existing affected sources. This date was established in a **Federal Register** notice 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 this direct 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.

The lowest decomposition temperature of the chlorinated solvents subject to this rule is 788 degrees Fahrenheit (420 degrees Celsius). A steam-heated unit will never heat the solvent to 788 degrees Fahrenheit (420 degrees Celsius). Therefore, a switch that turns off the sump heat when the solvent layer reaches the heating coils is an unnecessary expense. Consequently, the requirement for low-level sump turn-off switches has been removed for steam-heated solvent cleaning machines.

IV. Impacts

The changes contained in this direct final rule 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. Docket

The docket number for this rulemaking is A–92–39. The docket is an organized and complete 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.)

B. 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 direct 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.

C. Executive Order 12875: Enhancing Intergovernmental Partnerships

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 the EPA consults with those governments. If the EPA complies by consulting, Executive Order 12875 requires the EPA to provide to OMB a description of the extent of the EPA's prior consultation with representatives of affected State, local, and tribal governments, the nature of their concerns, copies of any written communications from the governments, and a statement supporting the need to issue the regulation. In addition, 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 direct final rule does not create a mandate on State, local, or tribal governments. This direct final rule does not impose any enforceable duties on these entities. Accordingly, the requirements of section 1(a) of Executive Order 12875 do not apply to this direct final rule.

D. 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.''

This direct final rule does not impose any duties or compliance costs on Indian tribal governments. Further, the direct final rule provided herein does 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 direct final rule does 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 to this direct final rule.

E. Unfunded Mandates Reform Act

Title II of the Unfunded Mandates Reform Act (UMRA) of 1995, Public Law 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 this direct final rule does 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 this direct final rule does not significantly or uniquely impact small governments, because it contains 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 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 direct final rule.

F. 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.

This direct final rule would not have a significant impact on a substantial number of small entities because it clarifies and makes corrections to the promulgated HSC NESHAP, but imposes no additional regulatory requirements on owners or operators of affected sources.

G. 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. The amendments to the HSC NESHAP contained in this direct final rule will have no impact on the information collection burden estimates made previously. Therefore, the ICR has not been revised.

H. 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. This direct final rule is not subject to Executive Order 13045 because it is not an ''economically significant'' regulatory action as defined by Executive Order 12866, and it is based on technology performance rather than health or risks that may disproportionately affect children.

I. Submission to Congress and the Comptroller General

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 direct final rule in the **Federal Register**. A major rule cannot take effect until 60 days after it is published in the **Federal Register**. This direct final rule is not a ''major rule'' as defined by 5 U.S.C. 804(2).

J. 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. The EPA welcomes comments on this aspect of the direct final rule and, specifically, invites the public to identify potentially applicable voluntary consensus standards and to explain why such standards should be used in this regulation.

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, Air pollution control, Continuous web cleaning, Film cleaning, Halogenated solvent cleaning machines, Hazardous substances.

Dated: August 6, 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—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 T—National Emission Standards for Halogenated Solvent Cleaning

2. Amend § 63.461 by adding, in alphabetical order, definitions for ''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.

* * * * *

Continuous web cleaning machine means a solvent cleaning machine in which parts such as film, coils, wire, and metal strips are cleaned at speeds 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 sump, 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 cleaning 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. Amend § 63.462 by revising paragraphs (c) introductory text and (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 paragraphs (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 (TSCA).

* * * * *

4. Amend § 63.463 by revising paragraphs (a) introductory text, (c) introductory text, (d) introductory text, (e) introductory text and (e)(2) introductory text, and by adding paragraphs (e)(2)(viii) through (e)(2)(x) and paragraph (g) to read as follows:

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

(a) Except as provided in § 63.464 for all cleaning machines and in paragraph (g)(3) of this section for continuous web 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 (a)(7) of this section.

* * * * *

(c) Except as provided in § 63.464 for all cleaning machines and in paragraph (g)(3) of this section for continuous web cleaning machines, each owner or operator of an existing or new in-line solvent cleaning machine shall comply with paragraph (c)(1) or (c)(2) of this section as appropriate. The owner or operator of a continuous web cleaning machine shall comply with the requirements of paragraph (g) in lieu of complying with this paragraph.

* * * * *

(d) Except as provided in § 63.464 for all cleaning machines and in paragraph (g)(3) of this section for continuous web 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 (d)(12) of this section, as applicable.

* * * * *

(e) Except as provided in paragraph (g)(4) of this section, 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 (e)(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 (e)(2)(x) 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 no later than when 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 demonstrates 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.

(f) * * *

(g) Except as provided in § 63.464, each owner or operator of a continuous web cleaning machine shall comply with paragraphs (g)(1) through (g)(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.

(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.

(C) Superheated vapor or superheated part technology; and a carbon adsorber.

(2) If a carbon adsorber system can be demonstrated to the Administrator's satisfaction to have an overall control efficiency (*i.e.*, capture efficiency times removal efficiency) of 70 percent or greater, this system is equivalent to the options in paragraph (g) of this section. A system that is demonstrated to have an overall control efficiency of 70 percent or greater can be used in lieu of the control combinations in paragraph (g)(1) of this section.

(3) In lieu of complying with the provisions of § 63.463(a), the owner or operator of a continuous web cleaning machine shall comply with the following provisions:

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

(A) An idling and downtime mode cover, as described in § 63.463(d)(1)(i), 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.

(B) A reduced room draft as described in § 63.463(e)(2)(ii).

(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 § 63.463(e)(iii).

(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 § 63.463(e).

(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 a lip 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 § 63.463(e)(2)(ii).

(4) In lieu of complying with the provisions of § 63.463(d), 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 pieces of 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.

(B) A reduced room draft as described in § 63.463(e)(2)(ii).

(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 § 63.463(e)(iii).

(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 start-up 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) 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. Amend § 63.465 by adding paragraph (f) to read as follows:

§ 63.465 Test methods.

* * * * *

(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 section 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.

* * * * *

6. Amend § 63.466 by revising paragraph (a) introductory text and adding paragraphs (a)(3) through (a)(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 (a)(5) of this section.

* * * * *

(3) If a squeegee system or air knife system is used to comply with the requirements of § 63.463(g), 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), 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. These data could include design and operating conditions such as information supporting any exothermic reaction inherent in the processing.

* * * * *

7. Amend § 63.467 by revising paragraph (a) introductory text and adding paragraphs (a)(6) and (a)(7) 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 (a)(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 is used to comply with these standards, records of the determination of the proper operating parameter and parameter value for the air knife system.

* * * * *

[FR Doc. 99–20861 Filed 8–18–99; 8:45 am]

BILLING CODE 6560–50–P

FEDERAL COMMUNICATIONS COMMISSION

47 CFR Part 69

Access Charges

CFR Correction

In Title 47 of the Code of Federal Regulations, parts 40 to 69, revised as of Oct. 1, 1998, on page 434, § 69.153 is corrected by removing the second paragraph (c) in the first column, and the second paragraph (c)(1) in the second column.

[FR Doc. 99–55523 Filed 8–18–99; 8:45 am]

BILLING CODE 1505–01–D

DEPARTMENT OF DEFENSE

48 CFR Parts 204 and 252

[DFARS Case 99–D006]

Defense Federal Acquisition Regulation Supplement; Oral Attestation of Security Responsibilities

AGENCY: Department of Defense (DoD).

ACTION: Final rule.

SUMMARY: The Director of Defense Procurement has issued a final rule amending the Defense Federal Acquisition Regulation Supplement (DFARS) to add a requirement for contractor employees that are cleared for access to certain classified information to attest orally that they will comply with the security requirements associated with the information.

EFFECTIVE DATE: August 19, 1999.

FOR FURTHER INFORMATION CONTACT: Ms. Melissa Rider, Defense Acquisition Regulations Council, PDUSD (A&T) DP (DAR), IMD 3D139, 3062 Defense Pentagon, Washington, DC 20301–3062. Telephone (703) 602–4245; telefax (703) 602–0350. Please cite DFARS Case 99–D006.

SUPPLEMENTARY INFORMATION:

A. Background

This rule adds a new clause at DFARS 252.204–7005 for use in contracts requiring access to classified information. The new clause requires contractor employees that are cleared for access to Top Secret, Special Access Program, or Special Compartmented Information to attest orally that they will conform to the conditions and responsibilities imposed by law or regulation on those granted access to such information.

A proposed rule was published in the **Federal Register** on March 25, 1999 (64 FR 14424). Six sources submitted comments on the proposed rule. DoD considered all comments in the development of the final rule.

This rule was not subject to Office of Management and Budget review under Executive order 12866, dated September 30, 1993.

B. Regulatory Flexibility Act

DoD certifies that this final rule will not have a significant economic impact on a substantial number of small entities within the meaning of the Regulatory Flexibility Act, 5 U.S.C. 601, et seq., because the conditions and responsibilities addressed in the oral attestation are conditions and responsibilities that already are placed