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ENVIRONMENTAL PROTECTION AGENCY**40 CFR Part 60**

[AD-FRL-2903-7]

Standards of Performance for New Stationary Sources; Petroleum Dry Cleaners**AGENCY:** Environmental Protection Agency (EPA).**ACTION:** Response to Petition for Reconsideration and Final Amendments to Rule.

SUMMARY: After the current standard of performance for petroleum dry cleaners was promulgated on September 21, 1984, the Laundry Cleaning Council (LCC) petitioned EPA to reconsider the standard. The EPA is partially granting the petition for reconsideration of certain aspects of the standard and promulgating appropriate amendments, and denying reconsideration of other aspects.

DATES: Effective November 27, 1985. Under section 307(b)(1) of the Clean Air Act, judicial review of the actions taken by this notice is available *only* by the filing of a petition for review in the U.S. Court of Appeals for the District of Columbia Circuit within 60 days of today's publication of this rule. Under section 307(b)(2) of the Clean Air Act, the requirements that are the subject of today's notice may not be challenged later in civil or criminal proceedings brought by EPA to enforce these requirements.

ADDRESSES: *Docket.* The docket, Number A-80-2, containing information supporting this action, is available for public inspection and copying between 8:00 a.m. and 4:30 p.m., Monday through Friday, at Central Docket Section, West Tower Lobby, Gallery 1, Waterside Mall, 401 M Street, SW., Washington, DC 20460. A reasonable fee may be charged for copying.

Background Information Documents (BID's). The BID's for the standard promulgated on September 21, 1984, may be obtained from the U.S. EPA Library (MD-35), Research Triangle Park, North Carolina 27711, telephone number (919) 541-2777. Please refer to "Petroleum Dry Cleaners—Background Information for Proposed Standards" (EPA-450/3-82-012a) and "Petroleum Dry Cleaners—Background Information for Promulgated Standards" (EPA-450/3-82-012b).

FOR FURTHER INFORMATION CONTACT: Mr. Doug Bell, Standards Development Branch, Emission Standards and Engineering Division (MD-13), U.S.

Environmental Protection Agency, Research Triangle Park, North Carolina 27711, telephone number (919) 541-5578.

SUPPLEMENTARY INFORMATION:**Background**

On December 14, 1982, under Section 111 of the Clean Air Act, EPA proposed standards of performance to limit emissions of volatile organic compounds (VOC) from new, modified, and reconstructed petroleum dry cleaner facilities. The proposal was preceded by a National Air Pollution Control Techniques Advisory Committee (NAPCTAC) meeting on December 2, 1981. The meeting was open to the public, and each attendee was given an opportunity to comment on the standard recommended for proposal. Opportunity was also provided for a public hearing through notice in the *Federal Register* but no requests for a hearing were received. The public comment period was from December 14, 1982, to February 14, 1983. After the Agency had carefully evaluated the four comment letters received, the Administrator published the final standard in the *Federal Register* on September 21, 1984.

The LCC petitioned the Administrator to reconsider the standard on November 20, 1984, and filed a supplemental petition on March 6, 1985.

Criteria for Review of the Petition for Reconsideration

The standard was promulgated under the procedures in section 307(d) of the Clean Air Act. Section 307(d)(7)(B) provides that EPA shall convene a proceeding to reconsider a rule if a person raising an objection can demonstrate that: (1) It was impracticable to raise such objection during the comment period or that the grounds for such objection arose after the comment period but within the time specified for judicial review [which EPA concludes means within the 60-day time period provided for judicial review under section 307(b), 42 U.S.C. 7607(b)(1)]; and (2) such objection is of central relevance to the outcome of the rule. In EPA's view, such objections are of central relevance only if they provide substantial support for the argument that the standards should be revised. See: Denial of Petition to Revise NSPS for Stationary Gas Turbines, 45 FR 81653, 81654 (December 11, 1980), and decisions cited therein.

Summary of Petition and Responses

As noted above, a petition for reconsideration of the new source performance standard (NSPS) for petroleum dry cleaners was submitted by the LCC on November 20, 1984, and a

supplemental petition was submitted on March 6, 1985. The petitions made four principal objections: (1) That petroleum dry cleaners are not a significant source of VOC emissions that cause or contribute to air pollution; (2) that EPA should not use cleaning capacity as the exclusive criterion for the exemption for small dry cleaners; (3) that EPA used improper assumptions to determine the exemption level; and (4) that the solvent recovery dryer required by the NSPS is unsafe. The petitioner was also concerned that the applicability of the standard may be misinterpreted, that the change in format of the exemption level may cause unfair coverage of some dryers installed between proposal and promulgation, and that EPA's preamble discussion of the flammability of petroleum solvent was misleading.

After reviewing the petitions, acquiring additional information, and meeting with the petitioner for additional clarification of the issues, EPA concludes that none of the four principal objections are of central relevance to the outcome of the rule, and that the grounds for several of them arose before the close of the comment period and could have been raised during the comment period. The petitions are, therefore, denied as to these issues. In particular:

(1) Petroleum dry cleaners are significant contributors to air pollution within the meaning of section 111. The EPA judges that its estimates of the impacts of the standards are reasonable and preferable to the estimates suggested by the petitioner.

(2) With regard to the selection of cleaning capacity as the exclusive criterion for the small dry cleaners exemption, EPA has concluded that it is straightforward, verifiable, and not burdensome from a recordkeeping standpoint. It accomplishes the intent of the exemption without the need for alternative criteria.

(3) With regard to the assumptions used by EPA to determine the exemption level, EPA has concluded that they should not be changed and that the petitioner provided no new information to indicate otherwise.

(4) Regarding the safety of the solvent recovery dryer required by the NSPS, EPA has concluded that the new information provided by the petitioner does not support an objection that is of central relevance to the outcome of the rule. The EPA's investigation of this information indicated that it does not provide substantial support that the standard should be revised.

The EPA is adding two clarifications to the regulation and one in this

preamble to respond to the petitioner's concerns about misinterpretation of the applicability of the standard, the potential for unfair coverage of some dryers, and EPA's statement in the preamble to the final rule regarding the flammability of petroleum solvent used by dry cleaners.

Discussion of Objections and Responses

1. Significance of Source Category

Objection

The petitioner contended that an issue that had been raised previously in comments made on the proposed standard had not been adequately resolved. He feels that the dry cleaning industry is not a significant source of emissions and that the need for the standard is in question. The petitioner also referred to a comment, made in early 1983, about the Agency's 5-year projection of affected facilities (1,390 new dryers) and his offer at that time to provide a revised projection based on historical sales data. The petitioner stated that the Agency "disregarded this information" and persisted in the use of anecdotal information that has resulted in overestimates of the number of facilities to be affected by the standard and the emission reduction.

Response

The EPA listed petroleum dry cleaners on the Priority List, 40 CFR 60.16. The Priority List consists of categories of air pollution sources that, in EPA's judgment, cause or contribute significantly to air pollution which may reasonably be anticipated to endanger public health or welfare. Of the 59 major source categories on this list, the dry cleaning industry (petroleum and perchloroethylene) source category ranked fifth. The EPA continues to believe that the petroleum dry cleaning industry is a significant source of VOC emissions. The standard would reduce the cumulative nationwide VOC emissions from petroleum dry cleaners through the first 5 years following promulgation by about 22,700 megagrams (25,000 tons) or 41 percent, relative to baseline emissions (i.e., emissions in the absence of the standard). In the fifth year, the VOC emission reduction would be about 7,600 megagrams (8,400 tons).

The Agency has not disregarded the petitioner's previous comment regarding the projection of the number of affected facilities. Rather, Section 2.4 of the BID for the promulgated standard explains that the Agency reevaluated the basis of the projection in the proposal BID (i.e., growth rates and equipment life) and concluded that it was a better basis for

the projection than the historic conventional dryer sales data proposed by the petitioner. The EPA recognizes that the projection of the number of affected facilities is not necessarily precise and is subject to some error. However, precision is not critical to the conclusion and the projection is adequate for the purposes of the NSPS rulemaking.

2. Selection of Dryer Capacity as Exemption Criterion

Objection

The petitioner expressed the opinion that the small plant exemption should be based on three alternative criteria: (1) Annual throughput, (2) annual solvent consumption, or (3) total dryer capacity.

Response

The total dryer capacity format for the promulgated exemption was selected through a rational process of identification and comparative evaluation of alternative exemption formats. The goal was to select a format that is easily understood, unambiguous and based on information currently being collected/maintained by the dry cleaning operators. Clothes throughput (i.e., pounds per year of clothes throughput) is clearly the best indicator of the revenues for a given plant and, for this reason, it was considered first as the format for the exemption. However, clothes are not routinely weighed at dry cleaners, and records often are not kept of the quantity of clothes cleaned over a given time period. No incentive, other than potential regulatory requirements, exists for operators to maintain records of pounds of clothes cleaned. Consequently, the clothes throughput format was rejected in favor of the solvent consumption format included in the proposed standard (47 FR 5618).

Solvent consumption is indicative of clothes throughput to the extent that "typical" or average solvent consumption factors (i.e., quantity of solvent used per pound of clothes cleaned) can be determined for the segment of the dry cleaning industry at or near the cutoff level. Typical solvent consumption factors were established in developing the basis for the standard. Moreover, as industry members pointed out at the NAPCTAC meeting in December 1981, records of solvent purchases are generally kept by dry cleaners. For these reasons, solvent consumption was selected as the exemption format for the proposed standard.

Public comments on the proposed standard received from industry representatives who are now being

represented by the petitioner (Docket Entry IV-D-3), however, identified total dryer capacity as an alternate exemption criterion and suggested that it be used *instead* of the solvent consumption-format. Another commenter on the proposed standards (Docket Entry IV-D-2) identified concerns about the way the solvent consumption exemption criterion would be applied to new plants. In reevaluating the exemption format, the Agency identified a number of advantages to the total dryer capacity format. First, it is easier to understand. The total manufacturers' rated dryer capacity is determined through the summation of the nameplate capacities of the in-service dryers at the particular plant. This procedure requires few or no records and can be repeated with equivalent results at any point in time. A determination of solvent consumption is dependent upon solvent purchase records, which may or may not be complete (depending on accounting procedures, filing accuracy, etc.), and which may vary considerably with time depending on the frequency and quantity of solvent purchases. This is particularly true where bulk solvent is purchased on an infrequent schedule. Additional confusion can result if solvent is purchased for machine cleaning or other purposes than strictly dry cleaning. For these reasons, the dryer capacity format is more straightforward and easily understood. Further, the recordkeeping requirements are less burdensome.

The total dryer capacity format also is more verifiable and, therefore, more easily and fairly enforced. Solvent purchase records were not mandatory in the proposed standard. Rather, the exemption determination was to be made through inspection of solvent purchase records normally maintained by the operators. The dryer capacity is stamped on the equipment nameplate or readily available in manufacturer's literature. No interpretation is required; the capacities for individual dryers are simply summed to determine the total manufacturers' dryer capacity.

The dryer capacity format offers a third advantage. Its derivation does not require the use of an emission factor as did the proposed solvent consumption level. The proposed solvent consumption exemption level was based on an assumed emission factor of 23 pounds solvent loss per 100 pounds of clothes cleaned and the clothes throughput break-even level of 132,170 pounds per year. Considerable adverse comment was received about the selection of this emission factor The

commenters proposed the use of a 30 pound per 100 pound factor. Although the Agency believes that the 23 pound per 100 pound factor is more reasonable than the 30 pound per 100 pound factor (see discussion in promulgation BID, Section 2.3.3, pg 2-9), the selection of the total dryer capacity format eliminates altogether the need to choose an emission factor. The 84-pound dryer capacity exemption is derived directly from the 132,170 pound-per-year clothes throughput break-even level without the use of an emission factor (Docket Entry IV-B-3). Consequently, the total dryer capacity format resolves a concern raised by industry at proposal over the solvent consumption exemption level.

On the basis that the total manufacturers' rated dryer capacity exemption format is more straightforward, more verifiable, less controversial, and less burdensome from a recordkeeping standpoint, the Agency believes it is the optimal format for the small plant exemption. Furthermore, the evolution of the exemption format since 1981 has been responsive to the concerns of industry representatives at each decision point prior to receipt of the petition. Problems of increased recordkeeping and enforcement difficulties exist with the clothes throughput and solvent exemption formats. Weighing these concerns, the Agency concludes it to be unnecessary and inappropriate to change the exemption format to include clothes throughput and solvent consumption criteria.

Objection

The petitioner is concerned that no notice in the proposed rule was given to the possibility of a dryer capacity based exemption and that dry cleaners who purchased new equipment between proposal and promulgation (December 14, 1982, to September 21, 1984) in reliance on the proposed 4,700 gallon-per-year solvent consumption exemption may find that they no longer qualify for the exemption under the promulgated standard.

Response

The Agency agrees that it would be unreasonable to apply the standard to conventional dryers installed in the period between proposal and promulgation (December 14, 1982, to September 21, 1984) in plants with an annual solvent consumption level of less than 4,700 gallons. Such dryers are, therefore, being exempted. The EPA notes that such cases are highly unlikely because the dryer capacity-based exemption is considered equivalent to

the solvent consumption limit that was proposed.

3. Assumptions Used To Select Exemption Level

Objection

The petitioner questions the validity of the operating cost assumptions made in deriving the 132,170 pound-per-year clothes throughput break-even level. He stated particular concern over the assumed value of recovered solvent and referred to the actual measured performance data (proposal BID, Table 4-1), which he indicated does not support the performance assumptions used in the economic impact analysis. He asserted a higher break-even number could be calculated based on the measured performance data but did not provide the basis for his assertion.

Response

The operating cost assumptions referred to by the petitioner were included in the proposal BID, and, thus, were available for review and comment during the public comment period after proposal of the standard. The petitioner had opportunity at that time to question their validity but did not. Nevertheless, EPA has reevaluated this aspect of the standard and concluded that even if values suggested by the commenter were used in calculating the break-even level, there would not be a "substantially higher" result as he indicated. The clothes throughput level would be about 144,000 pounds per year instead of 132,000, and the associated dryer capacity would be about 92 pounds instead of 84. Because the calculations are based on assumptions that include "typical" factors, there is naturally a margin of error in the results (see response below). Thus, the break-even level is an approximate point, and plants with throughput levels near the break-even level would have essentially the same financial conditions as would plants at the break-even level.

Objection

The petitioner is concerned that because conventional and recovery dryers are available only in discrete sizes (e.g., 50 and 100 pounds), many plants will have dryer capacity in excess of the 84 pound exemption level while still having an annual clothes throughput of less than the 132,170 pound-per-year break-even level. He offers two examples to illustrate his concern.

Response

The Agency believes that the 84-pound total dryer capacity exemption is

sufficient to avoid potential adverse economic impacts on small dry cleaners. The exemption provides a significant margin of protection to account for the concerns raised by the petitioner. First, the 132,170 pound-per-year clothes throughput break-even level, which forms the basis for the 84-pound dryer capacity exemption, is not the level at which adverse economic impacts on small operators are expected. As explained in responding to comments made by the petitioner on the proposed standard (see promulgation BID, section 2.3.3, pg 2-12), the break-even level analysis inherently incorporates a substantial margin of protection against adverse economic impacts. At the break-even level, the additional costs of the solvent recovery dryer are completely offset by its savings. Also, as discussed in the proposal BID (Chap. 9, pg. 9-51) a throughput level even 5,000 pounds of clothes per year less (i.e., 127,170 pounds per year) would have negligible impacts on plant earnings and finances. The break-even analysis also employs several conservative assumptions (including a 5-year amortization period) that contribute to the margin of protection inherent in the 132,170 pound-per-year break-even throughput level. Second, the 84 pound dryer capacity was derived from the 132,170 pounds of clothes per year break-even level using "typical" operating schedule and load factor assumptions. The exemption, therefore, has built in allowances to protect facilities near the exemption level. Most importantly, the 84 pound dryer capacity is based on an assumed 70 percent load factor. The "actual" dryer use level represented by the 84 pound capacity figure is about 59 pounds.

The "margin of protection" in the exemption level discussed above is adequate to avoid adverse economic impacts on the dry cleaners in the examples posed by the petitioner. In the first example, a dry cleaner has one 50-pound dryer that is fully utilized (i.e., 50 pounds of actual capacity utilization). Further, he reasonably expects to increase his actual clothes throughput by 50 percent (i.e., to a total actual capacity utilization of 75 pounds) if the additional dryer capacity is available. Following the purchase of another 50-pound dryer, the total dryer capacity (100 pounds) would exceed the 84-pound exemption level, but the actual capacity utilization would amount to only 75 pounds. The petitioner is concerned that the 75-pound actual clothes throughput level (expressed as "actual" dryer capacity) is below the 84-pound dryer capacity exemption level and that the

dry cleaner would be inappropriately forced by the NSPS to install a recovery dryer rather than a conventional dryer. However, based on the above discussion about the 70 percent load factor assumption made in deriving the 84-pound dryer capacity exemption level, it is clear that the 75-pound "actual" dryer capacity use exceeds the 59-pound "actual" dryer capacity use represented by the 84 pound dryer capacity exemption level. Consequently, the dry cleaner in this example could install a recovery dryer without risk of adverse economic impact (it would, in fact, be financially advantageous), and the exemption level in the NSPS would work as intended.

In the second example, the petitioner describes a dry cleaner with two existing 50-pound dryers; one is used at capacity (*i.e.*, "actual" dryer capacity of 50 pounds), and the other is used as backup in case the primary unit breaks down. The petitioner is concerned that a replacement unit for this plant would be required by the NSPS to be a recovery dryer because the total dryer capacity is greater than 84 pounds. The EPA believes that the dry cleaner in this example could purchase a recovery dryer with little risk of adverse economic impact. There is only a small difference between his actual dryer use of 50 pounds and the 59-pound actual dryer use reflective of the 84-pound dryer capacity exemption level. By using as little as 9 additional pounds actual dryer capacity (*i.e.*, using 20 percent of the additional dryer capacity), the dry cleaner would incur no increased operating costs. Moreover, the option would be available to use the old dryer as a backup and to derive the cost savings that would occur through use of the new recovery dryer.

Objection

The petitioner alleges that neither the proposed 4,700 gallon per year solvent consumption exemption nor the 84-pound total dryer capacity exemption is a valid indicator that the plant will achieve the 132,170 pounds per year clothes throughput. He points to the fact that a 23 lb/100 lb emission factor was used in lieu of what, in his opinion, is a more appropriate 30 lb/100 lb factor and calculates based on the 30 lb/100 lb factor that a dry cleaner would have to consume 6,100 gallons of solvent per year to clean 132,170 lbs. of clothes. He recommends that the dryer capacity exemption should be about 110 pounds based on the 6,100 gallon-per-year solvent consumption level and the solvent consumption to dryer capacity factor (56 gallons/yr per pound dryer

capacity/yr) in Section 60.620(a)(3) of the proposed regulation.

Response

Deriving the total dryer capacity exemption in the fashion proposed by the petitioner requires unnecessary calculations and results in an artificially high exemption level (*i.e.*, the suggested 110 pound level). The petitioner's 6,100 gallon-per-year solvent consumption figure is calculated from the 132,170 pound-per-year clothes throughput break-even level and an emission factor of 30 lb/100 of clothes cleaned. In the responses to comments made on the proposed standard, the Agency expressed its disagreement with the proposed 30 lb/100 lb emission factor and the 6,100 gallon-per-year solvent consumption and instead affirmed the use of the 23 lb/100 lb emission factor and the resultant 4,700 gallon-per-year solvent consumption exemption. Consequently, if the dryer capacity exemption level were to be derived from solvent consumption as proposed by the petitioner, it would be based on the 4,700 gallon per year exemption level included in the proposed standard. However, one of the advantages of the dryer capacity format is that it can be derived directly from the 132,170 pound-per-year clothes throughput break-even level without conversion into solvent consumption. Consequently, the petitioner's concern over the use of 6,100 gallons per year rather than 4,700 gallons-per-year solvent consumption is not relevant since the dryer capacity format in the final standard is not based on solvent consumption. With typical operating schedule (250 days/yr; 9 dryer loads/day) and load factor (70 percent capacity) assumptions, the 132,170 pounds-per-year clothes throughput break-even level is converted directly into the 84 pound total dryer capacity exemption (Docket Entry IV-B-3). This derivation avoids the conversion into solvent consumption by use of an emission factor, as is needed in the petitioner's proposed derivation and results in an 84-pound rather than 110-pound exemption level.

Objection

The petitioner states that the 84 pound dryer capacity exemption level in the standard bears "no rational relationship" to the 132,170 pounds-per-year clothes throughput intended by the Agency.

Response

The 84 pound total manufacturers' dryer capacity exemption is derived directly from the 132,170 pound-per-year clothes throughput level. The derivation,

which is documented in Docket Entry IV-B-3 and discussed in the preamble to the standard and Section 2.2 of the promulgation BID, involves assumptions about average or "typical" operating schedules and load factors supplied by industry representatives. These assumptions include a 250 day-per-year operating schedule, 9 dryer loads per day and a 70 percent average capacity utilization load factor, all of which are representative of operations at plants at or near the 132,170 pound-per-year clothes throughput level.

4. Safety of Solvent Recovery Dryers

Objection

The petitioner requested in the March 6, 1985, supplemental petition that EPA take steps to ensure that solvent recovery dryers required by the NSPS are safe to operate and, in the interim, suspend the applicability of the NSPS. This request was based on the petitioner's concern that an explosion of a recovery dryer in February 1985 indicated that such dryers are not yet proven to be safe.

Response

The petitioner had raised the safety issue in comments on the proposed standards, which EPA responded to in the preamble and BID supporting the final standards. The only new information presented in the March 1985 petition was the report of the February 1985 explosion. The EPA has investigated that explosion and remains satisfied that solvent recovery dryers are safe when properly installed and operated in accordance with applicable fire and explosion protection codes. Communications in April 1985 with the dryer manufacturer and with Factory Mutual Research Corporation (Docket Entries VI-D-2 and VI-D-3) indicate that the dryer that exploded was not properly installed and operated. The manufacturer's instructions for explosion venting were apparently not followed and, according to the manufacturer, "the explosion had to result from a spark or flame from a foreign object inside the unit. Ignition otherwise is impossible." Factory Mutual Research also questioned whether the installation of the dryer was proper. Both Factory Mutual and the manufacturer have indicated that their previous conclusion that the dryer is safe when installation and operating instructions are followed is still valid.

5. Other Objections

Objection

The petitioner is concerned that the standard will be misinterpreted to apply to existing equipment (e.g., dryers, filters) in affected plants that propose modifications subject to the standard. He proposed the insertion of the applicability date, December 14, 1982, into sections of the standard to help avoid misinterpretation.

Response

The petroleum dry cleaning standard, as with all NSPS's, applies only to newly constructed, modified and reconstructed affected facilities. A piece of existing equipment constitutes an "existing facility" that is not affected by the standard unless it is "modified" or "reconstructed" as defined in the general provisions applicable to all NSPS's (Reference 40 CFR 60.14 and 60.15, respectively).

The language of § 60.620(b) of the standard which contains the applicability date, was reevaluated in light of the petitioner's concern and found to correctly reflect the meaning intended by the Administrator. However, the insertion of the applicability date (December 14, 1982) in § 60.622(a) and (b), as requested by the petitioner, will not change the meaning of the standard. Moreover, it may help avoid misinterpretation by individuals who are unfamiliar with the Code of Federal Regulations and the language of NSPS's. Consequently, the standard is being clarified by adding specific reference to the applicability date in § 60.622(a) and (b), as requested by the petitioner.

Objection

The petitioner objected to the use of the phrase "highly flammable solvent" in reference to petroleum solvent and contended that the statement creates serious risks of misguided regulation of the dry cleaning industry by State

authorities and Federal authorities other than EPA.

Response

Use of the phrase "highly flammable solvent" in reference to petroleum solvent was not meant to imply that an unreasonable fire hazard is associated with the use of petroleum solvent. Rather, it was meant to connote the degree of risk of hazard associated with any "combustible" industrial liquid.

Miscellaneous

Under Executive Order 12291, EPA must judge whether a regulation is "major" and therefore subject to the requirement of a Regulatory Impact Analysis. These amendments are not "major" because they do not impose any additional requirements.

These amendments were submitted to the Office of Management and Budget (OMB) for review as required by Executive Order 12291. Any comments from OMB to EPA and any EPA responses to those comments are available for public inspection at Central Docket Section, West Tower Lobby, Gallery 1, Waterside Mall, 401 M. Street, SW., Washington, DC 20460.

The Administrator certifies that a regulatory flexibility analysis under 5 U.S.C. 601, et seq., is not required for this rulemaking because it does not impose any additional requirements and, thus, will not have a significant impact on a substantial number of small entities.

The Administrator finds, under 5 U.S.C. 553(b)(B), that notice and public procedure on the revisions made by this notice are unnecessary. The revisions are minor and technical.

List of Subjects in 40 CFR Part 60

Air pollution control, Dry cleaning, Industrial launderers, Intergovernmental relations, Reporting and recordkeeping requirements, Incorporation by reference.

Dated: November 12, 1985.

A. James Barnes,
Acting Administrator.

PART 60—[AMENDED]

40 CFR Part 60 is amended as follows:
1. The authority citation for Part 60 continues to read as follows:

Authority: Secs. 101, 111, 114, 116, 301, Clean Air Act as amended (42 U.S.C. 7401, 7411, 7414, 7416, 7601).

2. In § 60.620 of Subpart JJJ, paragraph (b) is revised to read as follows:

§ 60.620 Applicability and designation of affected facility.

* * * * *

(b) Any facility under paragraph (a) of this section that commences construction or modification after December 14, 1982, is subject to the requirements of this subpart with the following exception. A dryer installed between December 14, 1982, and September 21, 1984, in a plant with an annual solvent consumption level of less than 4,700 gallons, is exempt from the requirements of this subpart.

3. In § 60.622 of Subpart JJJ, paragraphs (a) and (b) are revised to read as follows:

§ 60.622 Standards for volatile organic compounds.

(a) Each affected petroleum solvent dry cleaning dryer that is installed at a petroleum dry cleaning plant after December 14, 1982, shall be a solvent recovery dryer. The solvent recovery dryer(s) shall be properly installed, operated, and maintained.

(b) Each affected petroleum solvent filter that is installed at a petroleum dry cleaning plant after December 14, 1982, shall be a cartridge filter. Cartridge filters shall be drained in their sealed housings for at least 8 hours prior to their removal

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