ENVIRONMENTAL PROTECTION AGENCY

40 CFR Parts 60, 61, and 63

[FRL-5880-8]

RIN 2060-AG21

Amendments for Testing and Monitoring Provisions

AGENCY: Environmental Protection Agency (EPA).

ACTION: Final rule: Amendments.

SUMMARY: In this rule, we, the Environmental Protection Agency (EPA) are making final minor amendments to our stationary source testing and monitoring rules. These amendments include miscellaneous editorial changes and technical corrections that are needed. We are also promulgating Performance Specification 15, which contains the criteria for certifying continuous emission monitoring systems (CEMS) that use fourier transform infrared spectroscopy (FTIR). In addition, we are changing the outline of the test methods and CEMS performance specifications already listed in Parts 60, 61, and 63 to fit a new format recommended by the Environmental Monitoring Management Council (EMMC). The editorial changes and technical corrections update the rules and help maintain

their original intent. Performance Specification 15 will provide the needed acceptance criteria for FTIR CEMS as they emerge as a new technology. We are reformatting the test methods and performance specifications to make them more uniform in content and interchangeable with other Agency methods. The amendments apply to a large number of industries that are already subject to the current provisions of Parts 60, 61, and 63. Therefore, we have not listed specific affected industries or their Standard Industrial Classification codes here.

DATES: Effective Date. This regulation is effective [insert date of publication in the FEDERAL REGISTER]. The incorporation by reference of certain publications listed in the rule is approved by the Director of the Federal Register as of [insert date of publication in the FEDERAL REGISTER].

ADDRESSES: Docket. Docket No. A-97-12, contains information relevant to this rule. You can read and copy it between 8:00 a.m. and 5:30 p.m., Monday through Friday, (except for Federal holidays), at our Air and Radiation Docket and Information Center, U.S. Environmental Protection Agency, 401 M Street, S.W., Washington, DC 20460; telephone (202)260-7548. Go to Room M-1500, Waterside Mall (ground floor). The docket office may charge a reasonable fee for copying.

Summary of Comments and Responses Document. You may obtain the Summary of Comments and Responses Document over the Internet at http://www.epa.gov/ttn/emc; choose the "Methods" menu, then choose the "Summary of Comments and Responses" hypertext under Category A.

FOR FURTHER INFORMATION CONTACT: Mr. Foston Curtis, Emission Measurement Center (MD-19), Emissions, Monitoring, and Analysis Division, U.S. Environmental Protection Agency, Research Triangle Park, North Carolina 27711; telephone (919) 541-1063; facsimile number (919) 541-1039; electronic mail address "curtis.foston@epamail.epa.gov".

SUPPLEMENTARY INFORMATION: Outline. The information presented in this preamble is organized as follows:

I. Why were these amendments made?

II. What does the new EMMC Format for methods look like?

III. What were the significant public comments and what resulting changes were made since proposal?

A. Updates to the ASTM Methods

B. Performance requirements for continuous instrumental methods of Part 60 - Methods 3A, 6C, 7E, 10, and 20

C. Method 18 (Part 60)

D. Method 25 (Part 60)

E. Performance Specification 15 (Part 60)

IV. What revisions were made that were not in the proposed rule?

V. What are the administrative requirements for this rule?

A. Docket

B. Office of Management and Budget Review

C. Regulatory Flexibility Act Compliance

D. Paperwork Reduction Act

E. Unfunded Mandates Reform Act

F. E.O. 12875 - Enhancing Intergovernmental Partnerships

G. E.O. 13084 - Consultation and Coordination with Indian Tribal Governments

H. Executive Order 13084 - Protection of Children from Environmental Health Risks and Safety Risks

I. Submission to Congress and the General Accounting Office

J. National Technology Transfer and Advancement Act

K. Plain Language in Government Writing

I. <u>Why were these amendments made?</u>

We have compiled miscellaneous errors and editions that are needed for the test methods, performance specifications, and associated regulations in 40 CFR Parts 60, 61, and 63. The corrections and revisions consist primarily of typographical errors, technical errors in equations and diagrams, and narrative that is no longer applicable or is obsolete. Some of the revisions were brought to our attention by the public. The major changes to the rule proposed on August

27, 1997 that resulted from public comments are discussed in Section III. Please note that, although numerous technical corrections were made to Parts 60, 61, and 63 rules, none affected a compliance standard or reporting or recordkeeping requirement. Revisions were only made to sections that pertain to source testing or monitoring of emissions and operations.

II. What does the new EMMC Format for methods look like?

The new EMMC format we have adopted for analytical methods was developed by consensus and will help integrate make consistent the test methods written by different EPA programs. The test methods and performance specifications being restructured in the new format are shown in Table 1.

TABLE 1. TEST METHODS AND PERFORMANCE SPECIFICATIONS RESTRUCTURED IN THE EMMC FORMAT

40 CFR 60 APP. A	40 CFR 60 APP. B	40 CFR 61	40 CFR 63
1, 1A	PS-2	101, 101A	303, 303A
2, 2A, 2B, 2C,	PS-3	102	304A,
2D, 2E	PS-4, PS-4A	103	304B
3, 3A, 3B	PS-5	104	305
4	PS-6	105	306,
5, 5A, 5B, 5D,		106	306A,
5E, 5F, 5G, 5H		107, 107A	306B
6, 6A, 6B, 6C		108,	
7, 7A 7B, 7C,		108A,	
7D, 7E		108B,	
8		108C	
10, 10A, 10B		111	
11			
12			
13A, 13B			
14			
15, 15A			
16, 16A, 16B			
17			
18			
19			
20			
21			
22			
23			
24, 24A			
25, 25A, 25B,			
25C, 25D, 25E			
26, 26A			
27			
28, 28A			
29			

The methods and specifications listed in Table 1 were restructured in the format shown in Table 2. Only in a few instances were there deviations from this recommended format.

TABLE 2. EMMC FORMAT

Section Number	Section Heading
1.0	Scope and Application
2.0	Summary of the Method
3.0	Definitions
4.0	Interferences
5.0	Safety
6.0	Equipment and Supplies
7.0	Reagents and Standards
8.0	Sample Collection, Preservation, Storage and Transport
9.0	Quality Control
10.0	Calibration and Standardization
11.0	Analytical Procedure
12.0	Calculations and Data Analysis
13.0	Method Performance
14.0	Pollution Prevention
15.0	Waste Management
16.0	References
17.0	Tables, Diagrams, Flowcharts, and Validation Data

III. What were the significant public comments and what resulting changes were made since proposal?

We asked that public comments on the August 27, 1997 proposal (62 FR 45369) be submitted by October 27, 1997. On November 18, 1997, we reopened (62 FR 61483) the comment period to allow additional time for review and comment. We received comments from facility owners and operators, trade associations, State and Local air pollution control agencies, environmental consultants, and private citizens. Their comments were considered in developing this final action. A detailed discussion of all comments are contained in the Summary of Comments and Responses Document (see ADDRESSES section of this preamble). The major public comments and the Agency's responses are summarized below.

A. Update to ASTM Methods

Several commenters supported our updating the references to ASTM Standards to include the dates of the most recent versions. However, some were concerned that updated standards not supplant the versions previously allowed and those promulgated with the original regulation. The ASTM recommended we follow the tradition of other governmental agencies and list only the latest version of each standard. This would present the latest, most improved standard. They

felt that previously approved versions would still be acceptable for future use, and this could be noted in the preamble to the final rule.

On January 14, 1998, we published a supplementary FEDERAL REGISTER notice to solicit public comments on this idea. We received three comment letters. All commenters objected to the idea of listing only the latest version of the ASTM standard. The commenters noted problems that would be encountered with State Implementation Plans (SIP) wherein only the specific ASTM standards listed in the subparts would be allowed. They feared that listing only the latest version of the standard would change the current allowance to use earlier versions. This could potentially change the intent of the original emission standard. Most commenters didn’t think a preamble explanation was sufficient assurance for continued allowance of earlier versions since preambles are not published in the Code of Federal Regulations. There were additional concerns for laboratories using currently acceptable versions who would need to upgrade their practice to reflect the latest version of a standard. The commenters were not amenable to only listing the latest standard unless language were added to the General Provisions of each part

stating that previously allowed versions of the standards were still allowed at the discretion of the source.

We feel the commenters have valid concerns and have decided to continue the convention of listing all acceptable versions of the ASTM standards including the new updates. The intent of this action is to allow any of the yearly-designated versions of a specific standard to be used in the applications where cited.

B. Performance Requirements for Continuous Instrumental Methods of Part 60 - Methods 3A, 6C, 7E, 10, and 20

Several commenters thought the preamble language for this proposal gave inadequate notice of the changes being made. Commenters stated that, in the proposal, we did not provide an adequate basis and purpose statement and misled the readers into thinking that the proposal contained no substantive changes to these test methods. Based on the number of substantive changes in this proposal, and in light of the Section 307(d) requirements, the commenters felt that we must address these issues in a new proposal before the revisions can go final with the rest of the package.

We agree with the commenters that the preamble to the proposed rule may not have given adequate public notice for some of the revisions. The revisions to the continuous

instrumental methods (Methods 3A, 6C, 7E, 10, and 20) may be considered substantive, but were not enumerated in the preamble nor was a supporting rationale given. Therefore, the revisions to Methods 3A, 6C, 7E, 10, and 20 will be reproposed as a separate rule. The comments already received on the proposal of these methods will be held for consideration with any future comments that result from the reproposal.

C. Method 18 (Part 60, Appendix A)

One commenter thought Method 18 was difficult to follow. The commenter suggested that, to simplify organization of the method, we should divide the method into five categories. Each title would begin with “Measurement of Gaseous Organic Compounds by Gas Chromatography” but have the following subtitles:

18A - Evacuated container sampling procedure.
18B - Bag sampling procedure.
18C - Direct interface procedure.
18D - Dilution interface procedure.
18E - Adsorption tube sampling procedure.

Another commenter suggested dividing the method into two different methods, one for the direct extractive technique, and the other for sample collection into bags, flasks, or adsorbents.

The method is currently divided according to the various sampling procedures; for example, Section 8.2.2 is the Direct Interface Sampling and Analysis Procedures, Section 8.2.3 is Dilution Interface Sampling and Analysis Procedures, and so on. We do not believe that multiple sampling procedures warrant dividing Method 18 into separate methods. We feel a single method allowing different procedures offers the source greater flexibility than citing specific procedures for particular situations.

One commenter noted that the proposed method requires triplicate injections for analysis of the calibration standards used for preparing the pre-test calibration curve, triplicate injections of the test samples, and triplicate injections for construction of the post-test calibration curve. The commenter questioned the additional accuracy expected for the extra hours spent in sample analysis and calibration while in the field conducting a source test compared to the current method which requires two consecutive analyses for pre- and post-test calibration and sample analyses meeting the same criteria for acceptance. We are increasing the calibration requirement to triple injections to tighten the method’s quality assurance procedures. Triplicate calibration injections is the normal

procedure prevalent in the analytical community, as well as in other Agency methodologies. It is difficult to establish precision and accuracy with duplicate injections. However, triplicate injections provide a reasonable measure of analytical precision without being overly burdensome. We do not feel the increase in time and costs associated with the third injection will significantly affect a typical test, considering the added benefits to data quality that are gained.

Several commenters asked us to revise and clarify various aspects of Section 10. We have made these modifications to address their concerns.

Regarding Section 13.1, one commenter noted that Method 18 is not a method in the general sense, but is more of a guideline on how to develop and document a test method. The commenter therefore felt that any prospective method should be written up and submitted to us along with the proper documentation that includes recovery study results. We disagree with this commenter. Method 18, which has been cited and used for many years, is a specific gas chromatography method with specific sampling, analytical, and data quality requirements. The method was written to accomodate many test sites having many possible target

compounds and gas matrices. The tester has been given numerous sampling, separation, and analytical system options to make the method adaptable to the needs of various compliance demonstrations.

Several commenters asked us to clarify the 5 to 10 percent relative standard deviation (RSD) requirement for calibration standards in Section 13.1.

We have added clarity to Section 13.1. The 5 to 10 percent RSD is not a precision criterion for calibration standards but a typical precision range for analyzing field samples. Five percent RSD is required for triplicate injections of calibration standards.

D. Method 25 (Part 60, Appendix A)

One commenter noted that Method 25 has limitations due to conditions that may exist in stack gas. If such conditions exist, the commenter recommends interfacing a nonmethane analyzer directly to the source or use Method 25A or 25B to measure the emissions. The commenter recommended modifying Method 25 to allow instruments that are able to determine the methane and nonmethane portions using components different from those described by Method 25 when the analyzer is directly interfaced to the source. The commenter feels that Method 25 would be more practical for

determining methane/nonmethane emissions at the field site if the method could be modified to allow these other analyzers. The commenter feels that it will also be necessary that fixed performance specifications be defined in the method, such as those for Method 6C. We believe these comments address method changes that are beyond those covered in the proposal and are, therefore, beyond the scope of this action. The commenter is encouraged to pursue these method changes through other appropriate channels such as submitting a request to use them as an alternative method.

E. Performance Specification 15 (Part 60, Appendix B)

One commenter noted that the statement of applicability for the demonstration is limited to the criteria we gave. The commenter stated that, with performance based measurement systems, the focus is on data quality objectives (DQO) where the performance specifications are coupled with the DQO. We believe the purpose of reference methods and, in this case performance specifications, is to provide standard procedures for sources to follow in order to provide quality emission data. However, we do provide latitude to sources by publishing performance-based methods and PS whenever possible. This performance specification is one such procedure; as long as an FTIR sampling system meets the

requirements of the performance specifications, it can be used for any regulated pollutant.

Based on public comments and upon further deliberation, we have removed the system calibration requirement from Section 10.3 of PS-15. Since both a system calibration and the calibration transfer standard measurement basically test instrument function, having both of these requirements in the performance specifications is redundant.

One commenter felt that the number of runs should be given as “guidance” rather than made a requirement. We set the requirement for nine runs (when comparing the FTIR to a reference method) and 10 runs (when comparing the FTIR to a reference monitor) because these are standard prodedures for performance specifications. We note that this performance specification also allows analyte spiking as an option; therefore, a revision on this point is not necessary.

One commenter noted that Section 11.1.1.4.3 states “if the RM is a CEM, synchronize the sampling flow rates of the RM and the FTIR CEM.” The commenter noted that instrumental analyzers are currently used for reference methods. EPA Methods 6C, 7E, 3A, and 10 measure SO_2, NO_x, O_2, CO_2, and CO on a continuous basis for a short period of time and are referred to as instrumental analyzers and not CEMs. The

commenter felt the statement should read “if the reference method is an instrumental analyzer, synchronize the sampling flow rates of the RM and the FTIR.” We agree with the commenter and have made the noted change.

IV. What revisions were made that were not in the proposed rule?

A revision was made to Section 6.6 of Method 21 of Part 60 to clarify the VOC monitoring instrument specifications. The requirement for the instrument to be intrinsically safe for Classes 1 and 2, Division 1 conditions has been amended to require them to be intrinsically safe for Class 1 and/or Class 2, Division 1 conditions, as appropriate. The performance test provisions of § 60.754(d) for determining control device efficiency when combusting landfill gas were amended to allow the use of Method 25 as an alternative to Methods 18 and 25C. The tester has the option of using either Method 18, 25, or 25C in this case. These amendments were not published in the proposed rule.

V. Administrative Requirements

A. Docket

Docket A-97-12 is an organized and complete file of all information submitted to us or otherwise considered in the development of this final rulemaking. The principal

purposes of the docket are: (1) to allow interested parties to identify and locate documents so that they can effectively participate in the rulemaking process, and (2) to serve as the record in case of judicial review (except for interagency review materials) [Clean Air Act Section 307(d)(7)(A), 42 U.S.C. 7607(d)(7)(A)].

B. Office of Management and Budget Review

Under Executive Order 12866 (58 FR 51735 October 4, 1993), we must determine whether the regulatory action is "significant" and therefore subject to Office of Management and Budget (OMB) review and the requirements of this Executive Order. The Order defines "significant regulatory action" as one that is likely to result in a rule that may:

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

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

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

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

We have determined that this rule is not a "significant regulatory action" under the terms of Executive Order 12866 and is therefore not subject to OMB review. We have determined that this regulation would result in none of the economic effects set forth in Section 1 of the Order because it does not impose emission measurement requirements beyond those specified in the current regulations, nor does it change any emission standard.

C. Regulatory Flexibility Act Compliance

We have determined that it is not necessary to prepare a regulatory flexibility analysis in connection with this final rule. We have also determined that this rule will not have a significant economic impact on a substantial number of small businesses. This rulemaking does not impose emission measurement requirements beyond those specified in the current regulations, nor does it change any emission standard.

D. Paperwork Reduction Act

This rule does not impose or change any information collection requirements. The Paperwork Reduction Act of 1980, 44 U.S.C. 3501, et seq., is not required.

E. Unfunded Mandates Reform Act

Title II of the unfunded Mandates Reform Act of 1995 (UMRA), P.L. 104-4, establishes requirements for Federal agencies to assess the effects of their regulatory action on State, local, and tribal governments and the private sector. Under section 202 of the UMRA, we generally must prepare a written statement, including a cost-benefit analysis, for proposed and final rules with "Federal mandates" that may result in expenditures by State, local, and tribal governments, in the aggregate, or by the private sector, of $100 million or more in any one year. Before promulgating an EPA rule for which a written statement is needed, Section 205 of the UMRA generally requires us 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 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 we establish any regulatory requirement that may significantly or uniquely affect small governments, including tribal governments, we must develop a small government agency plan as required under Section 203 of the UMRA. 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 our regulatory proposals with significant Federal intergovernmental mandates, and informing, educating, and advising small governments on compliance with the regulatory requirements.

Today's rule contains no Federal mandates (under the regulatory provisions of Title II of the UMRA) for State, local, or tribal governments or the private sector. We have determined that today's rule does not include a Federal mandate because it imposes no enforceable duty on any State, local, and tribal governments, or the private sector. Today's rule simply makes corrections and minor revisions to current testing requirements and promulgates a monitoring specification that can be used to support future monitoring rules. For the same reason we have also determined that this rule contains no regulatory requirements that might significantly or uniquely affect small governments.

F. Executive Order 13132 (Federalism)

Executive Order 13132, entitled "Federalism" (64 FR 43255, August 10, 1999), requires EPA to develop an accountable process to ensure "meaningful and timely input by State and local officials in the development of regulatory policies that have federalism implications." "Policies that have

federalism implications” is defined in the Executive Order to include regulations that have “substantial direct effects on the States, on the relationship between the national government and the States, or on the distribution of power and responsibilities among the various levels of government.” Under Executive Order 13132, EPA may not issue a regulation that has federalism implications, that imposes substantial direct compliance costs, and that is not required by statute, unless the Federal government provides the funds necessary to pay the direct compliance costs incurred by State and local governments, or EPA consults with State and local officials early in the process of developing the proposed regulation. EPA also may not issue a regulation that has federalism implications and that preempts State law unless the Agency consults with State and local officials early in the process of developing the proposed regulation.

If EPA complies by consulting, Executive Order 13132 requires EPA to provide to the Office of Management and Budget (OMB), in a separately identified section of the preamble to the rule, a federalism summary impact statement (FSIS). The FSIS must include a description of the extent of EPA's prior consultation with State and local officials, a summary of the nature of their concerns and the agency’s position supporting the need to issue the regulation, and a

statement of the extent to which the concerns of State and local officials have been met. Also, when EPA transmits a draft final rule with federalism implications to OMB for review pursuant to Executive Order 12866, EPA must include a certification from the agency's Federalism Official stating that EPA has met the requirements of Executive Order 13132 in a meaningful and timely manner.

This final rule will not have substantial direct effects on the States, on the relationship between the national government and the States, or on the distribution of power and responsibilities among the various levels of government, as specified in Executive Order 13132. This final rule simply makes corrections and minor revisions to current testing requirements and promulgates a monitoring specification that can be used to support future monitoring rules. Thus, the requirements of section 6 of the Executive Order do not apply to this rule.

G. Executive Order 13084: Consultation and Coordination with Indian Tribal Governments

Under Executive Order 13084, we 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 we consult with those governments. If we comply by consulting, Executive Order 13094 requires us to provide to the Office of Management and Budget, in a separately identified section of the preamble to the rule, a description of the extent of our 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 us to develop an effective process permitting elected and other representatives of Indian tribal governments "to provide meaningful and timely input in the development of regulatory policies on matters that significantly or uniquely affect their communities." Today’s rule does not significantly or uniquely affect the communities of Indian tribal governments. This rule only amends regulatory requirements that are already in effect and adds no additional requirements. Accordingly, the requirements of Section 3(b) of Executive Order 13084 do not apply to this rule.

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 E.O. 12866, and (2) concerns an environmental health or safety risk that we have reason to believe may have a disproportionate effect on children. If the regulatory action meets both criteria, we 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 we considered.

We interpret E.O. 13045 as applying only to those regulatory actions that are based on health or safety risks, such that the analysis required under section 5-501 of the Order has the potential to influence the regulation. This rule is not subject to E.O. 13045 because it does not establish an environmental standard intended to mitigate health or safety risks.

I. Submission to Congress and the General Accounting Office

The Congressional Review Act, 5 U.S.C. §801, et seq., as added by the Small Business Regulatory Enforcement Fairness Act of 1996, generally provides that before a rule may take effect, the agency promulgating the rule must submit a rule report, which includes a copy of the rule, to each House of the Congress and to the Comptroller General of the United States. We will submit a report containing this rule and other required information to the U.S. Senate, the U.S.

House of Representatives, and the Comptroller General of the United States before it is published in the Federal Register. This action is not a "major rule" as defined by 5 U.S.C. 804(2). This rule will be effective _____ [date of FR publication].

J. National Technology Transfer and Advancement Act

Section 12(d) of the National Technology Transfer and Advancement Act of 1995 (NTTAA), P.L. 104-113 (15 U.S.C. 272), directs us to use voluntary consensus standards (VCSs) in our 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 VCS bodies. The NTTAA requires us to provide Congress, through OMB, explanations when we decide not to use available and applicable VCSs.

This rulemaking involves technical standards. Specifically, this rule makes technical corrections to portions of the subparts in Parts 60, 61, and 63 pertaining to source testing or monitoring of emissions and operations. The rule does not, however, change the nature of any of the technical standards currently in use. Moreover, many of the technical standards currently in use are VCSs developed by the American Society for Testing and Materials (ASTM). In fact,

we have taken the opportunity presented by this rulemaking to update the references to the ASTM standards to include the dates of the most recent versions of these standards (see Section III.A. of the preamble for a full discussion). A complete list of the ASTM standards updated by this rule can be found in Part 60.17. Thus, today's action is consistent with our obligation to use VCSs in our regulatory activities whenever practicable.

Finally, we are promulgating PS-15, which identifies certification criteria for continuous emission monitoring systems (CEMS) using fourier transform infrared spectroscopy (FTIR). PS-15 is a performance specification that is being issued as an example procedure for use by industry and regulatory agencies as appropriate. While there are no underlying national EPA standards that will require the use of this procedure at this time, we conducted a search for VCS FTIR performance specifications and found none.

We plan to periodically conduct rulemaking to make minor updates to test methods and performance specifications. In these rulemakings, we will review updates to VCS incorporated by reference and consider VCSs that may be used in lieu of EPA reference methods. We plan to provide the opportunity for public comment during these update rulemakings in part to allow VCS organizations to suggest where VCSs may be available for our use.

K. Plain Language in Government Writing

This rule is not written in the plain language format. In most cases, the rule corrects errors and makes updates to small portions of existing regulations that are not in plain language. The new plain language format was not used to keep the language of the amended sections consistent with that of the unamended rules. Also, the test methods were reformatted and proposed before the plain language provisions were mandated. Due to their volume, the time and costs associated with the magnitude of effort required to rewrite the final methods in plain language is prohibitive. However, this preamble is written in plain language, and we believe the amendments and reformatted test methods have been written clearly.

List of Subjects

40 CFR Part 60

Environmental protection, Air pollution control, New sources, Test methods and procedures, Performance specifications, Continuous emission monitors, Incorporation by reference.

40 CFR Part 61

Environmental protection, Air pollution control, Test methods and procedures, Incorporation by reference.

40 CFR Part 63

Environmental protection, Air pollution control, Hazardous air pollutants, Test methods and procedures, Incorporation by reference.

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Date	Administrator