

**Environmental Protection Agency**

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parameters. Each such notification shall document any expected HAP emission change resulting from the change in parameter.

(k) As an alternative to keeping records at the terminal of each gasoline cargo tank test result as required in paragraph (b) of this section, an owner or operator may comply with the requirements in either paragraph (k)(1) or (2) of this section.

(1) An electronic copy of each record is instantly available at the terminal.

(i) The copy of each record in paragraph (k)(1) of this section is an exact duplicate image of the original paper record with certifying signatures.

(ii) The permitting authority is notified in writing that each terminal using this alternative is in compliance with paragraph (k)(1) of this section.

(2) For facilities that utilize a terminal automation system to prevent gasoline cargo tanks that do not have valid cargo tank vapor tightness documentation from loading (*e.g.*, via a card lock-out system), a copy of the documentation is made available (*e.g.*, via facsimile) for inspection by permitting authority representatives during the course of a site visit, or within a mutually agreeable time frame.

(i) The copy of each record in paragraph (k)(2) of this section is an exact duplicate image of the original paper record with certifying signatures.

(ii) The permitting authority is notified in writing that each terminal using this alternative is in compliance with paragraph (k)(2) of this section.

[59 FR 64318, Dec. 14, 1994, as amended at 61 FR 7723, Feb. 29, 1996; 62 FR 9093, Feb. 28, 1997; 68 FR 70966, Dec. 19, 2003; 71 FR 17358, Apr. 6, 2006]

**§ 63.429 Implementation and enforcement.**

(a) This subpart can be implemented and enforced by the U.S. EPA, or a del-

egated authority such as the applicable State, local, or Tribal agency. If the U.S. EPA Administrator has delegated authority to a State, local, or Tribal agency, then that agency, in addition to the U.S. EPA, has the authority to implement and enforce this subpart. Contact the applicable U.S. EPA Regional Office to find out if implementation and enforcement of this subpart is delegated to a State, local, or Tribal agency.

(b) In delegating implementation and enforcement authority of this subpart to a State, local, or Tribal agency under subpart E of this part, the authorities contained in paragraph (c) of this section are retained by the Administrator of U.S. EPA and cannot be transferred to the State, local, or Tribal agency.

(c) The authorities that cannot be delegated to State, local, or Tribal agencies are as specified in paragraphs (c)(1) through (4) of this section.

(1) Approval of alternatives to the requirements in §§ 63.420, 63.422 through 63.423, and 63.424. Any owner or operator requesting to use an alternative means of emission limitation for storage vessels covered by § 63.423 must follow the procedures in § 63.426.

(2) Approval of major alternatives to test methods under § 63.7(e)(2)(ii) and (f), as defined in § 63.90, and as required in this subpart.

(3) Approval of major alternatives to monitoring under § 63.8(f), as defined in § 63.90, and as required in this subpart, and any alternatives to § 63.427(a)(1) through (4) per § 63.427(a)(5).

(4) Approval of major alternatives to recordkeeping and reporting under § 63.10(f), as defined in § 63.90, and as required in this subpart.

[68 FR 37348, June 23, 2003]

TABLE 1 TO SUBPART R OF PART 63—GENERAL PROVISIONS APPLICABILITY TO SUBPART R

Reference	Applies to subpart R	Comment
63.1(a)(1) .....	Yes	

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Reference	Applies to subpart R	Comment
63.1(a)(2) .....	Yes	
63.1(a)(3) .....	Yes	
63.1(a)(4) .....	Yes	
63.1(a)(5) .....	No	Section reserved
63.1(a)(6)(8) .....	Yes	
63.1(a)(9) .....	No	Section reserved
63.1(a)(10) .....	Yes	
63.1(a)(11) .....	Yes	
63.1(a)(12)-(a)(14) .....	Yes	
63.1(b)(1) .....	No	Subpart R specifies applicability in § 63.420
63.1(b)(2) .....	Yes	
63.1(b)(3) .....	No	Subpart R specifies reporting and recordkeeping for some large area sources in § 63.428
63.1(c)(1) .....	Yes	
63.1(c)(2) .....	Yes	Some small sources are not subject to subpart R
63.1(c)(3) .....	No	Section reserved
63.1(c)(4) .....	Yes	
63.1(c)(5) .....	Yes	
63.1(d) .....	No	Section reserved
63.1(e) .....	Yes	
63.2 .....	Yes	Additional definitions in § 63.421
63.3(a)-(c) .....	Yes	
63.4(a)(1)-(a)(3) .....	Yes	
63.4(a)(4) .....	No	Section reserved
63.4(a)(5) .....	Yes	
63.4(b) .....	Yes	
63.4(c) .....	Yes	
63.5(a)(1) .....	Yes	
63.5(a)(2) .....	Yes	
63.5(b)(1) .....	Yes	
63.5(b)(2) .....	No	Section reserved
63.5(b)(3) .....	Yes	
63.5(b)(4) .....	Yes	
63.5(b)(5) .....	Yes	
63.5(b)(6) .....	Yes	
63.5(c) .....	No	Section reserved
63.5(d)(1) .....	Yes	
63.5(d)(2) .....	Yes	
63.5(d)(3) .....	Yes	
63.5(d)(4) .....	Yes	
63.5(e) .....	Yes	
63.5(f)(1) .....	Yes	
63.5(f)(2) .....	Yes	
63.6(a) .....	Yes	
63.6(b)(1) .....	Yes	
63.6(b)(2) .....	Yes	
63.6(b)(3) .....	Yes	
63.6(b)(4) .....	Yes	
63.6(b)(5) .....	Yes	
63.6(b)(6) .....	No	Section reserved
63.6(b)(7) .....	Yes	
63.6(c)(1) .....	No	Subpart R specifies the compliance date
63.6(c)(2) .....	Yes	
63.6(c)(3)-(c)(4) .....	No	Sections reserved
63.6(c)(5) .....	Yes	
63.6(d) .....	No	Section reserved
63.6(e) .....	Yes	
63.6(f)(1) .....	Yes	
63.6(f)(2) .....	Yes	
63.6(f)(3) .....	Yes	
63.6(g) .....	Yes	
63.6(h) .....	No	Subpart R does not require COMS
63.6(i)(1)-(i)(14) .....	Yes	
63.6(i)(15) .....	No	Section reserved
63.6(i)(16) .....	Yes	
63.6(j) .....	Yes	
63.7(a)(1) .....	Yes	
63.7(a)(2) .....	Yes	
63.7(a)(3) .....	Yes	
63.7(b) .....	Yes	

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Reference	Applies to subpart R	Comment
63.7(c) .....	Yes	
63.7(d) .....	Yes	
63.7(e)(1) .....	Yes	
63.7(e)(2) .....	Yes	
63.7(e)(3) .....	Yes	
63.7(e)(4) .....	Yes	
63.7(f) .....	Yes	
63.7(g) .....	Yes	
63.7(h) .....	Yes	
63.8(a)(1) .....	Yes	
63.8(a)(2) .....	Yes	
63.8(a)(3) .....	No	Section reserved
63.8(a)(4) .....	Yes	
63.8(b)(1) .....	Yes	
63.8(b)(2) .....	Yes	
63.8(b)(3) .....	Yes	
63.8(c)(1) .....	Yes	
63.8(c)(2) .....	Yes	
63.8(c)(3) .....	Yes	
63.8(c)(4) .....	Yes	
63.8(c)(5) .....	No	Subpart R does not require COMS
63.8(c)(6)-(c)(8) .....	Yes	
63.8(d) .....	Yes	
63.8(e) .....	Yes	
63.8(f)(1)-(f)(5) .....	Yes	
63.8(f)(6) .....	Yes	
63.8(g) .....	Yes	
63.9(a) .....	Yes	
63.9(b)(1) .....	Yes	
63.9(b)(2) .....	No	Subpart R allows additional time for existing sources to submit initial notification. Sec. 63.428(a) specifies submittal by 1 year after being subject to the rule or December 16, 1996, whichever is later.
63.9(b)(3) .....	Yes	
63.9(b)(4) .....	Yes	
63.9(b)(5) .....	Yes	
63.9(c) .....	Yes	
63.9(d) .....	Yes	
63.9(e) .....	Yes	
63.9(f) .....	Yes	
63.9(g) .....	Yes	
63.9(h)(1)-(h)(3) .....	Yes	
63.9(h)(4) .....	No	Section reserved
63.9(h)(5)-(h)(6) .....	Yes	
63.9(i) .....	Yes	
63.9(j) .....	Yes	
63.10(a) .....	Yes	
63.10(b)(1) .....	Yes	
63.10(b)(2) .....	Yes	
63.10(b)(3) .....	Yes	
63.10(c)(1) .....	Yes	
63.10(c)(2)-(c)(4) .....	No	Sections reserved
63.10(c)(5)-(c)(8) .....	Yes	
63.10(c)(9) .....	No	Section reserved
63.10(c)(5)-(c)(8) .....	Yes	
63.10(d)(1) .....	Yes	
63.10(d)(2) .....	Yes	
63.10(d)(3) .....	Yes	
63.10(d)(4) .....	Yes	
63.10(d)(5) .....	Yes	
63.10(e) .....	Yes	
63.10(f) .....	Yes	
63.11(a)-(b) .....	Yes	
63.12(a)-(c) .....	Yes	
63.13(a)-(c) .....	Yes	
63.14(a)-(b) .....	Yes	
63.15(a)-(b) .....	Yes	

[59 FR 64318, Dec. 14, 1994, as amended at 61 FR 7724, Feb. 29, 1996]