

ADEQ

ARKANSAS
Department of Environmental Quality

September 5, 2007

Beverly Jackson
Armtec Countermeasures Arkansas Operations
PO Box 3297
East Camden, AR 71711

Dear Ms. Jackson:

The enclosed Permit No. 1865-AOP-R3 is issued pursuant to the Arkansas Operating Permit Program, Regulation # 26.

After considering the facts and requirements of A.C.A. §8-4-101 et seq., and implementing regulations, I have determined that Permit No. 1865-AOP-R3 for the construction, operation and maintenance of an air pollution control system for Armtec Countermeasures Arkansas Operations to be issued and effective on the date specified in the permit, unless a Commission review has been properly requested under §2.1.14 of Regulation No. 8, Arkansas Department of Pollution Control & Ecology Commission's Administrative Procedures, within thirty (30) days after service of this decision.

All persons submitting written comments during this thirty (30) day period, and all other persons entitled to do so, may request an adjudicatory hearing and Commission review on whether the decision of the Director should be reversed or modified. Such a request shall be in the form and manner required by §2.1.14 of Regulation No. 8.

Sincerely,



Mike Bates
Chief, Air Division



ADEQ OPERATING AIR PERMIT

Pursuant to the Regulations of the Arkansas Operating Air Permit Program, Regulation No. 26:

Permit No. : 1865-AOP-R3

Renewal #1

IS ISSUED TO:

Armtec Countermeasures Arkansas Operations

East Camden, AR 71701

Calhoun County

AFIN: 07-00033

THIS PERMIT AUTHORIZES THE ABOVE REFERENCED PERMITTEE TO INSTALL, OPERATE, AND MAINTAIN THE EQUIPMENT AND EMISSION UNITS DESCRIBED IN THE PERMIT APPLICATION AND ON THE FOLLOWING PAGES. THIS PERMIT IS VALID BETWEEN:

February 2, 2006 AND February 1, 2011

IS SUBJECT TO ALL LIMITS AND CONDITIONS CONTAINED HEREIN.

Signed:



Mike Bates
Chief, Air Division

September 5, 2007

Date Modified

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Table 1 - List of Acronyms

A.C.A.	Arkansas Code Annotated
AFIN	ADEQ Facility Identification Number
CFR	Code of Federal Regulations
CO	Carbon Monoxide
HAP	Hazardous Air Pollutant
lb/hr	Pound per hour
MVAC	Motor Vehicle Air Conditioner
No.	Number
NO _x	Nitrogen Oxide
PM	Particulate matter
PM ₁₀	Particulate matter smaller than ten microns
SNAP	Significant New Alternatives Program (SNAP)
SO ₂	Sulfur dioxide
SSM	Startup, Shutdown, and Malfunction Plan
Tpy	Ton per year
UTM	Universal Transverse Mercator
VOC	Volatile Organic Compound

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Section I: FACILITY INFORMATION

PERMITTEE: Armtec Countermeasures Arkansas Operations

AFIN: 07-00033

PERMIT NUMBER: 1865-AOP-R2

FACILITY ADDRESS: Highland Industrial Park, Building M-25
East Camden, AR 71701

COUNTY: Calhoun

CONTACT POSITION: Charles King

TELEPHONE NUMBER: 870-574-1712 (Ext. 4233)

REVIEWING ENGINEER: Kimberly O'Guinn

UTM North - South (Y): Zone 15 3721.291

UTM East - West (X): Zone 15 528.983

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Section II: INTRODUCTION

Summary of Permit Activity

Armtec Countermeasures Company (Armtec) is located at Building M-25 in the Highland Industrial Park, East Camden, Calhoun County, Arkansas. Armtec manufactures and tests explosive ordnance and disposes of explosive/pyrotechnic waste in open thermal treatment units. There are two separate facilities covered under this permit. The two facilities are referred to as the Main Plant and the R-1/R-15 Area.

Currently the facility has 3 mixing bays located at the blend facility, A-25 and one slurry mixing bay in M-25. Each bay has 2 Morehouse Cowles mixers. This modification to the permit is to allow the addition of another slurry mixing bay with two Morehouse Cowles mixers (SN-01). The addition of the bay and mixers to the M-75 production area is needed to reduce the amount of explosive handling. This modification will not increase the current permitted emission rates.

Process Description

The facility manufactures magnesium/Teflon flares. Hexane and acetone are used as solvents in the production process. All of the solvent emissions are grouped together as SN-01 for the purposes of this permit. Acetone is used as the solvent during the mixing of the raw materials used to make the powder. Hexane is used to wash the acetone from the mix. The mixing/washing process generates a liquid stream of mixed hexane and acetone. This mixture is sent to the "tank farm" area where the hexane is recovered for reuse and the acetone is emitted to the atmosphere. Hexane fumes are generated during the pre-drying process and the vacuum tumbling process. A hexane recovery system collects the exhaust vapor stream from the vacuum tumblers and condenses the hexane from that stream for reuse. Acetone is also used as a general cleanup solvent for the process equipment. All acetone and hexane used in the process eventually evaporates, so emissions may be determined through the use of purchase records.

The following is a summary of the primary hexane/acetone emission points in the flare production line.

Mixing Bays:

4 mixing bays located at the main facility, with 2 Cowles mixers in each bay

Pre-Dryers:

2 bays, 1 pre-dryer in each, vibratory bed-type dryer with a heated vapor pull-off system

Vacuum Tumblers:

2 bays with 1 Abby Vacuum Tumbler (heated water jacket) in each bay

Tank Farm:

2 each 2250 gallon vertical acetone/hexane tanks

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- 2 each 2150 gallon vertical acetone/hexane tank
- 1 each 1850 gallon vertical hexane tank
- 1 each 2100 gallon horizontal hexane tank
- 1 each 6100 gallon horizontal hexane tank
- 1 each 6100 gallon horizontal acetone tank
- 1 each 6100 gallon horizontal acetone/water tank with air sparger
- 1 each 6200 gallon horizontal water/acetone tank with air sparger
- 1 each 1037 gallon horizontal acetone tank
- 2 each 1037 gallon horizontal acetone/water tanks

The flares are tested in several areas around the main facility and at the R-1 facility. There are two tunnel testing areas and two ejection testing areas. The flare testing is grouped as SN-02. There are also several insignificant emission sources located at the main plant, which are listed in Section VII of this permit.

R-1/R-15 Area:

The R-1/R-15 area is located several miles away from the main plant. The function of the R-15 facility is to dispose of explosives and explosives-contaminated wastes. The waste material is placed in four Open Thermal Treatment Units (OTTUs) and ignited. The OTTUs are grouped as SN-03. The R-1 area contains a small research facility. This research facility contains one mixing bay with one Muller mixer. The emissions associated with this research facility are insignificant.

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Regulations

The following table contains the regulations applicable to this permit.

Table 2 - Regulations

Source No.	Regulation Citations
Facility	<i>Regulation 18 - Air Pollution Control Code</i>
Facility	<i>Regulation 19 - Arkansas Plan of Implementation for Air Pollution Control</i>
Facility	<i>Regulation 26 - Regulations of the Arkansas Operating Permit Program</i>
Facility	<i>40 CFR 63 - Subpart FFFF Miscellaneous Organic Chemical Production and Manufacturing</i>
Facility	<i>40 CFR 63 - Subpart DDDDD NESHAP for Industrial, Commercial, and Institutional Boilers and Process Heaters</i>

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The following table is a summary of emissions from the facility. The following table contains cross-references to the pages containing specific conditions and emissions for each source. This table, in itself, is not an enforceable condition of the permit.

Table 3 – Emission Summary

EMISSION SUMMARY					
Source No.	Description	Pollutant	Emission Rates		Cross Reference Page
			lb/hr	tpy	
		PM	672.7	97.5	
		PM ₁₀	672.7	97.5	
Total Allowable Emissions		SO ₂	0.1	0.1	
		VOC	112.6	225.4	
		CO	16.1	5.4	
		NO _x	53.2	15.0	
HAPS		Hexane*	112.50	225.00	
Air Contaminants		Acetone**	173.25	346.50	
		HF**	20.02	2.93	
		F**	1.82	0.07	
01	Process Solvents	VOC	112.5	225.0	13
		Hexane*	112.50	225.00	
		Acetone**	173.25	346.50	
02A	Ordnance Testing Test Tunnels	PM	45.6	1	14
		PM ₁₀	45.6		
		NO _x	3.49		
		CO	1.04		
		Hydrogen Fluoride	1.38		
		Fluorine	0.03		
02B	Ordnance Testing Ejection Testing	PM	45.6	1	14
		PM ₁₀	45.6		
		NO _x	3.5		
		CO	1.0		
		Hydrogen Fluoride	1.38		
		Fluorine	0.03		

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EMISSION SUMMARY					
Source No.	Description	Pollutant	Emission Rates		Cross Reference Page
			lb/hr	tpy	
02C	Ordnance Testing R-1 Facility Testing	PM	11.4	1	14
		PM ₁₀	11.4		
		NO _x	0.87		
		CO	0.3		
		Hydrogen Fluoride	0.35		
		Fluorine	0.01		
02	Ordnance Testing	PM	2	22.8	14
		PM ₁₀		22.8	
		NO _x		1.8	
		CO		0.5	
		HF**		0.69	
		F**		0.02	
03	Open Thermal Treatment Units	PM	570.0	74.1	16
		PM ₁₀	570.0	74.1	
		NO _x	43.7	5.7	
		CO	13.0	1.7	
		HF**	17.25	2.24	
		F**	0.40	0.05	
04	Natural Gas Fired Boilers	PM	0.1	0.6	17
		PM ₁₀	0.1	0.6	
		VOC	0.1	0.4	
		NO _x	1.7	7.6	
		CO	0.7	3.2	
		SO ₂	0.02	0.1	

*HAPs included in the VOC totals. Other HAPs are not included in any other totals unless specifically stated.

**Air Contaminants such as ammonia, acetone, and certain halogenated solvents are not VOCs or HAPs.

¹Annual emissions are combined for all 3 (SN-02A, SN-02B, SN-02C) points.

²Hourly emissions are combined for each emission point

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Section III: PERMIT HISTORY

Permit No. 1865-AOP-R0 was issued to Marconi Aerospace on January 19, 2000. This was the initial air permit for this existing Title V flare production facility. This permit quantified emissions of VOC and Hexane from the flare production process. Acetone emissions were omitted from the permit application by the permittee, and were not included in the permit at this time. The ordnance testing process was also omitted from the permit application. Emissions were permitted at 80.0 tpy of VOC and 80.0 tpy hexane.

Permit No. 750-A was issued to Tracor Aerospace on April 5, 1985. This was the initial permit for the R-1/R-15 area. In the permit, the facility was limited to burning no more than 100 lb of waste per 24-hour period. Emission levels were not quantified at this time.

Permit No. 750-AR-1 was issued to Tracor Aerospace on April 7, 1988. This modification was issued in order to allow for the operation of two additional open burn pits (for a total of four) and to allow for the burning of up to 100 lb of waste per pit per day, for a total of 400 lb waste burned per day. Emission levels were not quantified at this time.

This permit modification (1865-AOP-R1) will combine the two previously existing air permits into one Title V Operating Air Permit. The combined Title V permit has been assigned CSN 07-0033, which was the CSN previously assigned to the R-1/R-15 area facility.

Permit #1865-AOP-R1 was issued November 12, 2002. This was the initial modification to the operating air permit for this facility. This modification was issued in order to allow for increased hexane usage at the facility, as well as including acetone emissions, which were omitted from the previous permit. This modification also updated the permit to include a separate facility within the same industrial park, which is also operated by BAE for the purpose of research and development, and for the disposal of undesirable flare material by burning in open pits. This separate facility was previously permitted in minor source air permit No. 750-AR-1. This modification also incorporated a change to the CSN assigned to the facility. The plant was previously assigned a CSN for Ouachita County, when it is actually located in Calhoun County. A new CSN for Calhoun County of 07-0033 was assigned to this permit. This was the CSN previously assigned to the R1/R-15 area. Due to the inclusion of the previously unpermitted ordnance testing emissions, previously unpermitted acetone emissions, and the increase in hexane solvent usage, permitted emissions in this modification increased by 85.6 tpy of PM/PM₁₀, 5.7 tpy NO_x, 1.7 tpy CO, 145.0 tpy VOC, 145.0 tpy hexane, 0.35 tpy hydrogen fluoride, and 0.05 tpy fluorine.

Permit #1865-AOP-R2 was issued February 2, 2006. This permitting action served as a renewal of the Title V permit. Additionally the facility increased the amount of ordnance tested from 20,000 lbs/year to 40,000 lbs/year. Boilers and process heaters that were previously listed as insignificant sources along with a new 2.1 MMBTU/hr boiler was listed as a new source, SN-04. The Insignificant Activities List was updated to include the following: a 2.1 MMBTU/hr Hot Water Boiler; a 0.84 MMBTU/hr Boiler; the usage of primer, ink, ink thinner and sealant; the usage of acetone for cleaning purposes. Lastly, SN-02 hourly emissions increased due to updated emission factors. Permitted emissions increased by 12.0 tons/year (tpy) of PM/PM₁₀, 0.1 tpy of SO₂, 0.4 tpy of VOC, 5.1 tpy of CO, 8.4 tpy of NO_x, 0.34 tpy of HF, 0.01 tpy of F, and 20.25 tpy of Acetone.

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Section IV: SPECIFIC CONDITIONS

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SN- 01
Process Solvent Emissions

Description

This source accounts for all of the process solvent emissions due to the usage of acetone and hexane in the flare production process. All of the acetone and hexane used at the plant is eventually emitted to the atmosphere. Emissions occur primarily during the mixing and flare drying processes. It is assumed that all purchased hexane and acetone is emitted to the atmosphere.

Specific Conditions

1. The permittee shall not exceed the emission rates set forth in the following table. The permittee will demonstrate compliance with this condition by compliance with Specific Condition #3. [Regulation No. 19 §19.501 *et seq.* effective May 28, 2006, and 40 CFR Part 52, Subpart E]

Table 4 – Maximum Criteria Emission Rates

Pollutant	lb/hr	Tpy
VOC (Hexane)	112.5	225.0

2. The permittee shall not exceed the emission rates set forth in the following table. The permittee will demonstrate compliance with this condition by compliance with Specific Condition #3. [Regulation No. 18 §18.801, effective February 15, 1999, and A.C.A. §8-4-203 as referenced by §8-4-304 and §8-4-311]

Table 5 – Maximum Non-Criteria Emission Rates

Pollutant	lb/hr	tpy
Acetone	173.25	346.50
Hexane	112.50	225.00

3. The permittee will maintain monthly records of the amount of hexane and acetone purchased each month. A rolling 12 month total and each individual month's data shall be kept on site and updated monthly, and be made available to Department personnel upon request. This condition will monitor the amount of hexane and acetone lost to the atmosphere by assuming that the amount of hexane and acetone purchased equals the amount of hexane and acetone emitted. A report of these records shall be submitted to the Department in accordance with General Provision #7. [Regulation No. 19 §19.705 and A.C.A. §8-4-203 as referenced by §8-4-304 and §8-4-311, and 40 CFR Part 70.6]

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SN- 02
 (SN-02A, 02B, 02C)

Ordinance Testing

Source Description

Flares are tested in several areas of the main plant and the R-1 Facility. There are two tunnel testing areas and two ejection testing areas. These flare testing emission points are grouped as SN-02.

Specific Conditions

4. The permittee shall not exceed the emission rates set forth in the following table. The permittee will demonstrate compliance with this condition by compliance with Specific Condition #6. [Regulation No. 19 §19.501 *et seq.* effective May 28, 2006, and 40 CFR Part 52, Subpart E]

Table 6 – Maximum Criteria Emission Rates

SN	Pollutant	lb/hr	Tpy
02A	PM ₁₀	45.6	*
	NO _x	3.5	
	CO	1.0	
02B	PM ₁₀	45.6	*
	NO _x	3.5	
	CO	1.0	
02C	PM ₁₀	11.4	*
	NO _x	0.9	
	CO	0.3	
TOTAL SN-02	PM ₁₀	**	22.8
	NO _x		1.75
	CO		0.52

* Annual Emissions are combined for all four emission points.

** Hourly Limits are given for individual emission points.

5. The permittee shall not exceed the emission rates set forth in the following table. The permittee will demonstrate compliance with this condition by compliance with Specific Condition #6. [Regulation No. 18 §18.801, effective February 15, 1999, and A.C.A. §8-4-203 as referenced by §8-4-304 and §8-4-311]

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Table 7 – Maximum Non-Criteria Emission Rates

SN	Pollutant	lb/hr	tpy
02A	PM	45.6	*
	F	0.03	
	HF	1.38	
02B	PM	45.6	*
	F	0.03	
	HF	1.38	
02C	PM	11.40	*
	F	0.01	
	HF	0.35	
TOTAL SN-02	PM		22.8
	F	**	0.02
	HF		0.69

6. The permittee shall not test more than 40,000 pounds of ordnance material at SN-02 during any consecutive 12-month period. [§19.705 of Regulation 19, A.C.A. §8-4-203 as referenced by §8-4-304 and §8-4-311, and 40 CFR §70.6]
7. The permittee shall maintain monthly records which demonstrate compliance with Specific Condition #6. These records shall be updated by the 15th day of the month following the month to which the records pertain. A 12-month rolling total and each individual month's data shall be maintained on-site and provided to Department personnel upon request. A report of these records shall be submitted to the Department in accordance with General Provision #7. [§19.705 of Regulation 19 and 40 CFR Part 52 Subpart E]
8. An exemption from the opacity limitation of §19.503(B) of Regulation 19 has been granted by the ADEQ Director for this source. The operation of SN-02A through SN-02C shall be conducted in such a manner as to cause no nuisance to the surrounding community. The Department reserves the right to rescind this exemption if, at any time, the emissions from the operations become a nuisance to the surrounding community. A copy of the approval letter for this exemption is included as Appendix A of this permit. [§19.505(B) of Regulation 19 and 40 CFR Part 52 Subpart E]

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SN- 03
Open Thermal Treatment Units (OTTUs) – R-15

Source Description

The function of the R-15 facility is to dispose of explosives and explosives-contaminated wastes. The waste material is placed in four Open Thermal Treatment Units (OTTUs) and ignited. The OTTUs are grouped as SN-03.

Specific Conditions

9. The permittee shall not exceed the emission rates set forth in the following table. The permittee will demonstrate compliance with this condition by compliance with Specific Conditions #11 and #13. [Regulation No. 19 §19.501 *et seq.* effective May 28, 2006, and 40 CFR Part 52, Subpart E]

Table 8 – Maximum Criteria Emission Rates

Pollutant	lb/hr	Tpy
PM ₁₀	570.0	74.1
CO	13.0	1.7
NO _x	43.7	5.7

10. The permittee shall not exceed the emission rates set forth in the following table. The permittee will demonstrate compliance with this condition by compliance with Specific Conditions #11 and #13. [Regulation No. 18 §18.801, effective February 15, 1999, and A.C.A. §8-4-203 as referenced by §8-4-304 and §8-4-311]

Table 9 – Maximum Non-Criteria Emission Rates

Pollutant	lb/hr	tpy
PM	570.0	74.1
Fluorine	0.40	0.05
Hydrogen Fluoride	17.25	2.24

11. The permittee shall not burn more than 500 lbs of wastes at SN-03 during any consecutive 24-hour period. [§19.705 of Regulation 19, A.C.A. §8-4-203 as referenced by §8-4-304 and §8-4-311, and 40 CFR §70.6]
12. The permittee shall maintain daily records which demonstrate compliance with Specific Condition #11. These records shall be maintained on-site and shall be made available to

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Department personnel upon request. A report of these records shall be submitted to the Department in accordance with General Provision #7. [§19.705 of Regulation 19 and 40 CFR Part 52 Subpart E]

13. The permittee shall not burn more than 130,000 lb of wastes at SN-03 during any consecutive 12-month period. [§19.705 of Regulation 19, A.C.A. §8-4-203 as referenced by §8-4-304 and §8-4-311, and 40 CFR §70.6]
14. The permittee shall maintain monthly records which demonstrate compliance with Specific Condition #13. These records shall be updated by the 15th day of the month following the month to which the records pertain. A 12-month rolling total and each individual month's data shall be maintained on-site and provided to Department personnel upon request. A report of these records shall be submitted to the Department in accordance with General Provision #7. [§19.705 of Regulation 19 and 40 CFR Part 52 Subpart E]
15. An exemption from the opacity limitation of §19.503(B) of Regulation 19 has been granted by the ADEQ Director for this source. The operation of SN-03 shall be conducted in such a manner as to cause no nuisance to the surrounding community. The Department reserves the right to rescind this exemption if, at any time, the emissions from the operations become a nuisance to the surrounding community. A copy of the approval letter for this exemption is included as Appendix A of this permit. [§19.505(B) of Regulation 19 and 40 CFR Part 52 Subpart E]

SN- 04
Natural Gas Fired Boilers

Description

The Natural Gas Fired Boilers are a group of 11 boilers. The combined firing rate for this group of boilers is 18.756 MMBtu/hr. Tons/year and lb/hour emission rates are calculated at maximum capacity for the Natural Gas Boilers (SN-04).

Specific Conditions

16. The permittee shall not exceed the emission rates set forth in the following table.
[Regulation No. 19 §19.501 *et seq.* effective May 28, 2006, and 40 CFR Part 52, Subpart E]

Table 10 – Maximum Criteria Emission Rates

Pollutant	lb/hr	Tpy
PM ₁₀	0.1	0.6
CO	0.7	3.2
NO _x	1.7	7.6
SO ₂	0.02	0.1
VOC	0.1	0.4

17. The permittee shall not exceed the emission rates set forth in the following table. [Regulation No. 18 §18.801, effective February 15, 1999, and A.C.A. §8-4-203 as referenced by §8-4-304 and §8-4-311]

Table 11 – Maximum Non-Criteria Emission Rates

Pollutant	lb/hr	tpy
PM	0.1	0.5

18. The permittee shall not cause to be discharged to the atmosphere from the natural gas fired boilers gases which exhibit an opacity greater than 5%. The opacity shall be measured in accordance with EPA Reference Method 9 as found in 40 CFR 60 Appendix A. Compliance shall be demonstrated by only emitting products of combustion of natural gas in the Natural Gas Boilers (SN-04). [§18.501 of Regulation 18 and A.C.A. §8-4-203 as referenced by §8-4-304 and §8-4-311]

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19. The boilers at this facility are subject to 40 CFR 63 Subpart DDDDD, *National Emission Standards for Hazardous Air Pollutants for Source Categories*. All of the boilers at this facility are considered small gaseous fuel boilers as defined by §63.7575. All new, reconstructed, and existing small gaseous fuel boilers are not subject to the initial notification requirements of §63.9(b) and are not subject to any requirements in 40 CFR Subpart DDDDD or in Subpart A. [§19.304 and 40 CFR §63.7506(c)]

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Section V: COMPLIANCE PLAN AND SCHEDULE

Armtec Countermeasures Arkansas Operations will continue to operate in compliance with those identified regulatory provisions. The facility will examine and analyze future regulations that may apply and determine their applicability with any necessary action taken on a timely basis.

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Section VI: PLANT WIDE CONDITIONS

1. The permittee will notify the Director in writing within thirty (30) days after commencing construction, completing construction, first placing the equipment and/or facility in operation, and reaching the equipment and/or facility target production rate. [Regulation No. 19 §19.704, 40 CFR Part 52, Subpart E, and A.C.A. §8-4-203 as referenced by §8-4-304 and §8-4-311]
2. If the permittee fails to start construction within eighteen months or suspends construction for eighteen months or more, the Director may cancel all or part of this permit. [Regulation No.19 §19.410(B) and 40 CFR Part 52, Subpart E]
3. The permittee must test any equipment scheduled for testing, unless stated in the Specific Conditions of this permit or by any federally regulated requirements, within the following time frames: (1) New Equipment or newly modified equipment within sixty (60) days of achieving the maximum production rate, but no later than 180 days after initial start-up of the permitted source or (2) operating equipment according to the time frames set forth by the Department or within 180 days of permit issuance if no date is specified. The permittee must notify the Department of the scheduled date of compliance testing at least fifteen (15) days in advance of such test. The permittee will submit the compliance test results to the Department within thirty (30) days after completing the testing. [Regulation No.19 §19.702 and/or Regulation No. 18 §18.1002 and A.C.A. §8-4-203 as referenced by A.C.A. §8-4-304 and §8-4-311]
4. The permittee must provide: [Regulation No.19 §19.702 and/or Regulation No.18 §18.1002 and A.C.A. §8-4-203 as referenced by A.C.A. §8-4-304 and §8-4-311]
 - a. Sampling ports adequate for applicable test methods;
 - b. Safe sampling platforms;
 - c. Safe access to sampling platforms; and
 - d. Utilities for sampling and testing equipment.
5. The permittee must operate the equipment, control apparatus and emission monitoring equipment within the design limitations. The permittee will maintain the equipment in good condition at all times. [Regulation No.19 §19.303 and A.C.A. §8-4-203 as referenced by A.C.A. §8-4-304 and §8-4-311]
6. This permit subsumes and incorporates all previously issued air permits for this facility. [Regulation No. 26 and A.C.A. §8-4-203 as referenced by §8-4-304 and §8-4-311]
7. The permittee must submit an air application to incorporate the requirements of 40 CFR Part 63 Subpart FFFF – *Miscellaneous Organic Chemical Production and Manufacturing* no later than April 10, 2006.

Acid Rain (Title IV)

8. The Director prohibits the permittee to cause any emissions exceeding any allowances the source lawfully holds under Title IV of the Act or the regulations promulgated under the Act. No permit revision is required for increases in emissions allowed by allowances acquired pursuant to the acid rain program, if such increases do not require a permit revision under any other applicable requirement. This permit establishes no limit on the number of allowances held by the permittee. However, the source may not use allowances as a defense for noncompliance with any other applicable requirement of this permit or the Act. The permittee will account for any such allowance according to the procedures established in regulations promulgated under Title IV of the Act. [Regulation No. 26 §26.701 and 40 CFR 70.6(a)(4)]

Title VI Provisions

9. The permittee must comply with the standards for labeling of products using ozone-depleting substances. [40 CFR Part 82, Subpart E]
 - a. All containers containing a class I or class II substance stored or transported, all products containing a class I substance, and all products directly manufactured with a class I substance must bear the required warning statement if it is being introduced to interstate commerce pursuant to §82.106.
 - b. The placement of the required warning statement must comply with the requirements pursuant to §82.108.
 - c. The form of the label bearing the required warning must comply with the requirements pursuant to §82.110.
 - d. No person may modify, remove, or interfere with the required warning statement except as described in §82.112.
10. The permittee must comply with the standards for recycling and emissions reduction, except as provided for MVACs in Subpart B. [40 CFR Part 82, Subpart F]
 - a. Persons opening appliances for maintenance, service, repair, or disposal must comply with the required practices pursuant to §82.156.
 - b. Equipment used during the maintenance, service, repair, or disposal of appliances must comply with the standards for recycling and recovery equipment pursuant to §82.158.
 - c. Persons performing maintenance, service repair, or disposal of appliances must be certified by an approved technician certification program pursuant to §82.161.

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- d. Persons disposing of small appliances, MVACs, and MVAC-like appliances must comply with record keeping requirements pursuant to §82.166. ("MVAC-like appliance" as defined at §82.152.)
 - e. Persons owning commercial or industrial process refrigeration equipment must comply with leak repair requirements pursuant to §82.156.
 - f. Owners/operators of appliances normally containing 50 or more pounds of refrigerant must keep records of refrigerant purchased and added to such appliances pursuant to §82.166.
11. If the permittee manufactures, transforms, destroys, imports, or exports a class I or class II substance, the permittee is subject to all requirements as specified in 40 CFR Part 82, Subpart A, Production and Consumption Controls.
12. If the permittee performs a service on motor (fleet) vehicles when this service involves ozone-depleting substance refrigerant (or regulated substitute substance) in the motor vehicle air conditioner (MVAC), the permittee is subject to all the applicable requirements as specified in 40 CFR part 82, Subpart B, Servicing of Motor Vehicle Air Conditioners.
- The term "motor vehicle" as used in Subpart B does not include a vehicle in which final assembly of the vehicle has not been completed. The term "MVAC" as used in Subpart B does not include the air-tight sealed refrigeration system used as refrigerated cargo, or the system used on passenger buses using HCFC-22 refrigerant.
13. The permittee can switch from any ozone-depleting substance to any alternative listed in the Significant New Alternatives Program (SNAP) promulgated pursuant to 40 CFR Part 82, Subpart G, "Significant New Alternatives Policy Program".

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Section VII: INSIGNIFICANT ACTIVITIES

The following sources are insignificant activities. Any activity that has a state or federal applicable requirement is a significant activity even if this activity meets the criteria of §304 of Regulation 26 or listed in the table below. Insignificant activity determinations rely upon the information submitted by the permittee in an application dated July 19, 2004 & August 14, 2004.

Table 12 - Insignificant Activities

Description	Category
3 - 0.840 MMBtu/hr Water Heater	A-1
3 - 0.305 MMBtu/hr Hot Water Heater	A-1
0.210 MMBtu/hr Water Heater	A-1
4- 0.270 MMBtu/hr Water Heater	A-1
1 - 2.1 MMBtu/hr Hot Water Heater	A-1
Misc. Coatings, Adhesives, and Inks Usage	A-13
R-1 Area Research and Development Facility	A-13
Acetone for Cleaning Purposes	A-13

Pursuant to §26.304 of Regulation 26, the Department determined the emission units, operations, or activities contained in Regulation 19, Appendix A, Group B, to be insignificant activities. Activities included in this list are allowable under this permit and need not be specifically identified.

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Section VIII: GENERAL PROVISIONS

14. Any terms or conditions included in this permit which specify and reference Arkansas Pollution Control & Ecology Commission Regulation No. 18 or the Arkansas Water and Air Pollution Control Act (A.C.A. §8-4-101 *et seq.*) as the sole origin of and authority for the terms or conditions are not required under the Clean Air Act or any of its applicable requirements, and are not federally enforceable under the Clean Air Act. Arkansas Pollution Control & Ecology Commission Regulation 18 was adopted pursuant to the Arkansas Water and Air Pollution Control Act (A.C.A. §8-4-101 *et seq.*). Any terms or conditions included in this permit which specify and reference Arkansas Pollution Control & Ecology Commission Regulation 18 or the Arkansas Water and Air Pollution Control Act (A.C.A. §8-4-101 *et seq.*) as the origin of and authority for the terms or conditions are enforceable under this Arkansas statute.[40 CFR 70.6(b)(2)]
15. This permit shall be valid for a period of five (5) years beginning on the date this permit becomes effective and ending five (5) years later. [40 CFR 70.6(a)(2) and §26.701(B) of the Regulations of the Arkansas Operating Air Permit Program (Regulation 26), effective August 10, 2000]
16. The permittee must submit a complete application for permit renewal at least six (6) months before permit expiration. Permit expiration terminates the permittee's right to operate unless the permittee submitted a complete renewal application at least six (6) months before permit expiration. If the permittee submits a complete application, the existing permit will remain in effect until the Department takes final action on the renewal application. The Department will not necessarily notify the permittee when the permit renewal application is due. [Regulation No. 26 §26.406]
17. Where an applicable requirement of the Clean Air Act, as amended, 42 U.S.C. 7401, *et seq.* (Act) is more stringent than an applicable requirement of regulations promulgated under Title IV of the Act, the permit incorporates both provisions into the permit, and the Director or the Administrator can enforce both provisions. [40 CFR 70.6(a)(1)(ii) and Regulation No. 26 §26.701(A)(2)]
18. The permittee must maintain the following records of monitoring information as required by this permit. [40 CFR 70.6(a)(3)(ii)(A) and Regulation No. 26 §26.701(C)(2)]
 - a. The date, place as defined in this permit, and time of sampling or measurements;
 - b. The date(s) analyses performed;
 - c. The company or entity performing the analyses;
 - d. The analytical techniques or methods used;
 - e. The results of such analyses; and
 - f. The operating conditions existing at the time of sampling or measurement.

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19. The permittee must retain the records of all required monitoring data and support information for at least five (5) years from the date of the monitoring sample, measurement, report, or application. Support information includes all calibration and maintenance records and all original strip-chart recordings for continuous monitoring instrumentation, and copies of all reports required by this permit. [40 CFR 70.6(a)(3)(ii)(B) and Regulation No. 26 §26.701(C)(2)(b)]
20. The permittee must submit reports of all required monitoring every six (6) months. If permit establishes no other reporting period, the reporting period shall end on the last day of the anniversary month of the initial Title V permit. The report is due within thirty (30) days of the end of the reporting period. Although the reports are due every six months, each report shall contain a full year of data. The report must clearly identify all instances of deviations from permit requirements. A responsible official as defined in Regulation No. 26 §26.2 must certify all required reports. The permittee will send the reports to the address below: [40 C.F.R. 70.6(a)(3)(iii)(A) and §26.701(C)(3)(a) of Regulation #26]

Arkansas Department of Environmental Quality
Air Division
ATTN: Compliance Inspector Supervisor
Post Office Box 8913
Little Rock, AR 72219

8. The permittee shall report to the Department all deviations from permit requirements, including those attributable to upset conditions as defined in the permit.
 - a. For all upset conditions (as defined in Regulation 19, § 19.601), the permittee will make an initial report to the Department by the next business day after the discovery of the occurrence. The initial report may be made by telephone and shall include:
 - i. The facility name and location
 - ii. The process unit or emission source deviating from the permit limit,
 - iii. The permit limit, including the identification of pollutants, from which deviation occurs,
 - iv. The date and time the deviation started,
 - v. The duration of the deviation,
 - vi. The average emissions during the deviation,
 - vii. The probable cause of such deviations,
 - viii. Any corrective actions or preventive measures taken or being taken to prevent such deviations in the future, and
 - ix. The name of the person submitting the report.

The permittee shall make a full report in writing to the Department within five (5) business days of discovery of the occurrence. The report must include, in addition to the information required by the initial report, a schedule of actions taken or planned to eliminate future occurrences and/or to minimize the amount the permit's limits were exceeded and to reduce the length of time the limits were exceeded. The permittee may submit a full report in writing (by facsimile, overnight courier, or other means) by the next business day after discovery of the occurrence, and the report will serve as both the

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initial report and full report.

- b. For all deviations, the permittee shall report such events in semi-annual reporting and annual certifications required in this permit. This includes all upset conditions reported in 8a above. The semi-annual report must include all the information as required by the initial and full reports required in 8a.

[Regulation 19, §19.601 and §19.602, Regulation 26, §26.701(C)(3)(b), and 40 CFR 70.6(a)(3)(iii)(B)]

9. If any provision of the permit or the application thereof to any person or circumstance is held invalid, such invalidity will not affect other provisions or applications hereof which can be given effect without the invalid provision or application, and to this end, provisions of this Regulation are declared to be separable and severable. [40 CFR 70.6(a)(5), §26.701(E) of Regulation No. 26, and A.C.A. §8-4-203, as referenced by §8-4-304 and §8-4-311]
10. The permittee must comply with all conditions of this Part 70 permit. Any permit noncompliance with applicable requirements as defined in Regulation No. 26 constitutes a violation of the Clean Air Act, as amended, 42 U.S.C. §7401, *et seq.* and is grounds for enforcement action; for permit termination, revocation and reissuance, for permit modification; or for denial of a permit renewal application. [40 CFR 70.6(a)(6)(i) and Regulation No. 26 §26.701(F)(1)]
11. It shall not be a defense for a permittee in an enforcement action that it would have been necessary to halt or reduce the permitted activity to maintain compliance with the conditions of this permit. [40 CFR 70.6(a)(6)(ii) and Regulation No. 26 §26.701(F)(2)]
12. The Department may modify, revoke, reopen and reissue the permit or terminate the permit for cause. The filing of a request by the permittee for a permit modification, revocation and reissuance, termination, or of a notification of planned changes or anticipated noncompliance does not stay any permit condition. [40 CFR 70.6(a)(6)(iii) and Regulation No. 26 §26.701(F)(3)]
13. This permit does not convey any property rights of any sort, or any exclusive privilege. [40 CFR 70.6(a)(6)(iv) and Regulation No. 26 §26.701(F)(4)]
14. The permittee must furnish to the Director, within the time specified by the Director, any information that the Director may request in writing to determine whether cause exists for modifying, revoking and reissuing, or terminating the permit or to determine compliance with the permit. Upon request, the permittee must also furnish to the Director copies of records required by the permit. For information the permittee claims confidentiality, the Department may require the permittee to furnish such records directly to the Director along with a claim of confidentiality. [40 CFR 70.6(a)(6)(v) and Regulation No. 26 §26.701(F)(5)]
15. The permittee must pay all permit fees in accordance with the procedures established in Regulation No. 9. [40 CFR 70.6(a)(7) and Regulation No. 26 §26.701(G)]

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16. No permit revision shall be required, under any approved economic incentives, marketable permits, emissions trading and other similar programs or processes for changes provided for elsewhere in this permit. [40 CFR 70.6(a)(8) and Regulation No. 26 §26.701(H)]
17. If the permit allows different operating scenarios, the permittee will, contemporaneously with making a change from one operating scenario to another, record in a log at the permitted facility a record of the operational scenario. [40 CFR 70.6(a)(9)(i) and Regulation No. 26 §26.701(I)(1)]
18. The Administrator and citizens may enforce under the Act all terms and conditions in this permit, including any provisions designed to limit a source's potential to emit, unless the Department specifically designates terms and conditions of the permit as being federally unenforceable under the Act or under any of its applicable requirements. [40 CFR 70.6(b) and Regulation No. 26 §26.702(A) and (B)]
19. Any document (including reports) required by this permit must contain a certification by a responsible official as defined in Regulation No. 26 §26.2. [40 CFR 70.6(c)(1) and Regulation No. 26 §26.703(A)]
21. The permittee must allow an authorized representative of the Department, upon presentation of credentials, to perform the following: [40 CFR 70.6(c)(2) and Regulation No. 26 §26.703(B)]
 - a. Enter upon the permittee's premises where the permitted source is located or emissions-related activity is conducted, or where records must be kept under the conditions of this permit;
 - b. Have access to and copy, at reasonable times, any records required under the conditions of this permit;
 - c. Inspect at reasonable times any facilities, equipment (including monitoring and air pollution control equipment), practices, or operations regulated or required under this permit; and
 - d. As authorized by the Act, sample or monitor at reasonable times substances or parameters for assuring compliance with this permit or applicable requirements.
22. The permittee will submit a compliance certification with the terms and conditions contained in the permit, including emission limitations, standards, or work practices. The permittee must submit the compliance certification annually within 30 days following the last day of the anniversary month of the initial Title V permit. The permittee must also submit the compliance certification to the Administrator as well as to the Department. All compliance certifications required by this permit must include the following: [40 CFR 70.6(c)(5) and Regulation No. 26 §26.703(E)(3)]
 - a. The identification of each term or condition of the permit that is the basis of the certification;

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- b. The compliance status;
- c. Whether compliance was continuous or intermittent;
- d. The method(s) used for determining the compliance status of the source, currently and over the reporting period established by the monitoring requirements of this permit; and
- e. Such other facts as the Department may require elsewhere in this permit or by §114(a)(3) and §504(b) of the Act.

23. Nothing in this permit will alter or affect the following: [Regulation No. 26 §26.704(C)]

- a. The provisions of Section 303 of the Act (emergency orders), including the authority of the Administrator under that section;
- b. The liability of the permittee for any violation of applicable requirements prior to or at the time of permit issuance;
- c. The applicable requirements of the acid rain program, consistent with §408(a) of the Act or,
- d. The ability of EPA to obtain information from a source pursuant to §114 of the Act.

24. This permit authorizes only those pollutant-emitting activities addressed in this permit. [A.C.A. §8-4-203 as referenced by §8-4-304 and §8-4-311]



APPENDIX A



Subpart FFFF—National Emission Standards for Hazardous Air Pollutants: Miscellaneous Organic Chemical Manufacturing

SOURCE: 68 FR 63888, Nov. 10, 2003, unless otherwise noted.

WHAT THIS SUBPART COVERS

§ 63.2430 What is the purpose of this subpart?

This subpart establishes national emission standards for hazardous air pollutants (NESHAP) for miscellaneous organic chemical manufacturing. This subpart also establishes requirements to demonstrate initial and continuous compliance with the emission limits, operating limits, and work practice standards.

§ 63.2435 Am I subject to the requirements in this subpart?

(a) You are subject to the requirements in this subpart if you own or operate miscellaneous organic chemical manufacturing process units (MCPU) that are located at, or are part of, a major source of hazardous air pollutants (HAP) emissions as defined in section 112(a) of the Clean Air Act (CAA).

(b) An MCPU includes equipment necessary to operate a miscellaneous organic chemical manufacturing process, as defined in § 63.2550, that satisfies all of the conditions specified in paragraphs (b)(1) through (3) of this section. An MCPU also includes any assigned storage tanks and product transfer racks; equipment in open systems that is used to convey or store water having the same concentration and flow characteristics as wastewater; and components such as pumps, compressors, agitators, pressure relief devices, sampling connection systems, open-ended valves or lines, valves, connectors, and instrumentation systems that are used to manufacture any material or family of materials described in paragraphs (b)(1)(i) through (v) of this section.

(1) The MCPU produces material or family of materials that is described in paragraph (b)(1)(i), (ii), (iii), (iv), or (v) of this section.

(i) An organic chemical or chemicals classified using the 1987 version of SIC

code 282, 283, 284, 285, 286, 287, 289, or 386, except as provided in paragraph (c)(5) of this section.

(ii) An organic chemical or chemicals classified using the 1997 version of NAICS code 325, except as provided in paragraph (c)(5) of this section.

(iii) Quaternary ammonium compounds and ammonium sulfate produced with caprolactam.

(iv) Hydrazine.

(v) Organic solvents classified in any of the SIC or NAICS codes listed in paragraph (b)(1)(i) or (ii) of this section that are recovered using nondedicated solvent recovery operations.

(2) The MCPU processes, uses, or produces any of the organic HAP listed in section 112(b) of the CAA or hydrogen halide and halogen HAP, as defined in § 63.2550.

(3) The MCPU is not an affected source or part of an affected source under another subpart of this part 63, except for process vents from batch operations within a chemical manufacturing process unit (CMPU), as identified in § 63.100(j)(4). For this situation, the MCPU is the same as the CMPU as defined in § 63.100, and you are subject only to the requirements for batch process vents in this subpart.

(c) The requirements in this subpart do not apply to the operations specified in paragraphs (c)(1) through (6) of this section.

(1) Research and development facilities, as defined in section 112(c)(7) of the CAA.

(2) The manufacture of ammonium sulfate as a by-product, if the slurry entering the by-product manufacturing process contains 50 parts per million by weight (ppmw) HAP or less or 10 ppmw benzene or less. You must retain information, data, and analysis to document the HAP concentration in the entering slurry in order to claim this exemption.

(3) The affiliated operations located at an affected source under subparts GG (National Emission Standards for Aerospace Manufacturing and Rework Facilities), KK (National Emission Standards for the Printing and Publishing Industry), JJJJ (NESHAP: Paper and Other Web Coating), future MMMM (NESHAP: Surface Coating of

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Miscellaneous Metal Parts and Products), and SSSS (NESHAP: Surface Coating of Metal Coil) of this part 63. Affiliated operations include, but are not limited to, mixing or dissolving of coating ingredients; coating mixing for viscosity adjustment, color tint or additive blending, or pH adjustment; cleaning of coating lines and coating line parts; handling and storage of coatings and solvent; and conveyance and treatment of wastewater.

(4) Fabricating operations such as spinning a polymer into its end use.

(5) Production activities described using the 1997 version of NAICS codes 325131, 325181, 325188 (except the requirements do apply to hydrazine), 325314, 325991 (except the requirements do apply to reformulating plastics resins from recycled plastics products), and 325992 (except the requirements do apply to photographic chemicals).

(6) Tall oil recovery systems.

(d) If the predominant use of a transfer rack loading arm or storage tank (including storage tanks in series) is associated with a miscellaneous organic chemical manufacturing process, and the loading arm or storage tank is not part of an affected source under a subpart of this part 63, then you must assign the loading arm or storage tank to the MCPU for that miscellaneous organic chemical manufacturing process. If the predominant use cannot be determined, then you may assign the loading arm or storage tank to any MCPU that shares it and is subject to this subpart. If the use varies from year to year, then you must base the determination on the utilization that occurred during the year preceding November 10, 2003 or, if the loading arm or storage tank was not in operation during that year, you must base the use on the expected use for the first 5-year period after startup. You must include the determination in the notification of compliance status report specified in § 63.2520(d). You must redetermine the primary use at least once every 5 years, or any time you implement emissions averaging or pollution prevention after the compliance date.

(e) For nondedicated equipment used to create at least one MCPU, you may elect to develop process unit groups (PUG), determine the primary product

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of each PUG, and comply with the requirements of the subpart in 40 CFR part 63 that applies to that primary product as specified in § 63.2535(l).

§ 63.2440 What parts of my plant does this subpart cover?

(a) This subpart applies to each miscellaneous organic chemical manufacturing affected source.

(b) The miscellaneous organic chemical manufacturing affected source is the facilitywide collection of MCPU and heat exchange systems, wastewater, and waste management units that are associated with manufacturing materials described in § 63.2435(b)(1).

(c) A new affected source is described by either paragraph (c)(1) or (2) of this section.

(1) Each affected source defined in paragraph (b) of this section for which you commenced construction or reconstruction after April 4, 2002, and you meet the applicability criteria at the time you commenced construction or reconstruction.

(2) Each dedicated MCPU that has the potential to emit 10 tons per year (tpy) of any one HAP or 25 tpy of combined HAP, and you commenced construction or reconstruction of the MCPU after April 4, 2002. For the purposes of this paragraph, an MCPU is an affected source in the definition of the term "reconstruction" in § 63.2.

(d) An MCPU that is also a CMPU under § 63.100 is reconstructed for the purposes of this subpart if, and only if, the CMPU meets the requirements for reconstruction in § 63.100(l)(2).

COMPLIANCE DATES

§ 63.2445 When do I have to comply with this subpart?

(a) If you have a new affected source, you must comply with this subpart according to the requirements in paragraphs (a)(1) and (2) of this section.

(1) If you startup your new affected source before November 10, 2003, then you must comply with the requirements for new sources in this subpart no later than November 10, 2003.

(2) If you startup your new affected source after November 10, 2003, then

you must comply with the requirements for new sources in this subpart upon startup of your affected source.

(b) If you have an existing source on November 10, 2003, you must comply with the requirements for existing sources in this subpart no later than November 10, 2006.

(c) You must meet the notification requirements in § 63.2515 according to the schedule in § 63.2515 and in 40 CFR part 63, subpart A. Some of the notifications must be submitted before you are required to comply with the emission limits, operating limits, and work practice standards in this subpart.

EMISSION LIMITS, WORK PRACTICE STANDARDS, AND COMPLIANCE REQUIREMENTS

§ 63.2450 What are my general requirements for complying with this subpart?

(a) You must be in compliance with the emission limits and work practice standards in Tables 1 through 7 to this subpart at all times, except during periods of startup, shutdown, and malfunction (SSM), and you must meet the requirements specified in §§ 63.2455 through 63.2490 (or the alternative means of compliance in § 63.2495, § 63.2500, or § 63.2505), except as specified in paragraphs (b) through (s) of this section. You must meet the notification, reporting, and recordkeeping requirements specified in §§ 63.2515, 63.2520, and 63.2525.

(b) *Determine halogenated vent streams.* You must determine if an emission stream is a halogenated vent stream, as defined in § 63.2550, by calculating the mass emission rate of halogen atoms in accordance with § 63.115(d)(2)(v). Alternatively, you may elect to designate the emission stream as halogenated.

(c) *Requirements for combined emission streams.* When organic HAP emissions from different emission types (e.g., continuous process vents, batch process vents, storage tanks, transfer operations, and waste management units) are combined, you must comply with the requirements of either paragraph (c)(1) or (2) of this section.

(i) Comply with the applicable requirements of this subpart for each kind of organic HAP emissions in the

stream (e.g., the requirements of Table 1 to this subpart for continuous process vents and the requirements of Table 4 to this subpart for emissions from storage tanks).

(2) Determine the applicable requirements based on the hierarchy presented in paragraphs (c)(2)(i) through (vi) of this section. For a combined stream, the applicable requirements are specified in the highest-listed paragraph in the hierarchy that applies to any of the individual streams that make up the combined stream. For example, if a combined stream consists of emissions from Group 1 batch process vents and any other type of emission stream, then you must comply with the requirements in paragraph (c)(2)(i) of this section for the combined stream; compliance with the requirements in paragraph (c)(2)(i) of this section constitutes compliance for the other emission streams in the combined stream. Two exceptions are that you must comply with the requirements in Table 3 to this subpart and § 63.2465 for all process vents with hydrogen halide and halogen HAP emissions, and recordkeeping requirements for Group 2 applicability or compliance are still required (e.g., the requirement in § 63.2525(f) to track the number of batches produced and calculate rolling annual emissions for processes with Group 2 batch process vents).

(i) The requirements of Table 2 to this subpart and § 63.2460 for Group 1 batch process vents, including applicable monitoring, recordkeeping, and reporting.

(ii) The requirements of Table 1 to this subpart and § 63.2455 for continuous process vents that are routed to a control device, as defined in § 63.981, including applicable monitoring, recordkeeping, and reporting.

(iii) The requirements of Table 5 to this subpart and § 63.2475 for transfer operations, including applicable monitoring, recordkeeping, and reporting.

(iv) The requirements of Table 7 to this subpart and § 63.2485 for emissions from waste management units that are used to manage and treat Group 1 wastewater streams and residuals from Group 1 wastewater streams, including applicable monitoring, recordkeeping, and reporting.

(v) The requirements of Table 4 to this subpart and § 63.2470 for control of emissions from storage tanks, including applicable monitoring, record-keeping, and reporting.

(vi) The requirements of Table 1 to this subpart and § 63.2455 for continuous process vents after a recovery device including applicable monitoring, record-keeping, and reporting.

(d) Except when complying with § 63.2485, if you reduce organic HAP emissions by venting emissions through a closed-vent system to any combination of control devices (except a flare) or recovery devices, you must meet the requirements of § 63.982(c) and the requirements referenced therein.

(e) Except when complying with § 63.2485, if you reduce organic HAP emissions by venting emissions through a closed-vent system to a flare, you must meet the requirements of § 63.982(b) and the requirements referenced therein.

(f) If you use a halogen reduction device to reduce hydrogen halide and halogen HAP emissions from halogenated vent streams, you must meet the requirements of § 63.994 and the requirements referenced therein. If you use a halogen reduction device before a combustion device, you must determine the halogen atom emission rate prior to the combustion device according to the procedures in § 63.115(d)(2)(v).

(g) *Requirements for performance tests.* The requirements specified in paragraphs (g)(1) through (5) of this section apply instead of or in addition to the requirements specified in subpart SS of this part 63.

(1) Conduct gas molecular weight analysis using Method 3, 3A, or 3B in appendix A to part 60 of this chapter.

(2) Measure moisture content of the stack gas using Method 4 in appendix A to part 60 of this chapter.

(3) If the uncontrolled or inlet gas stream to the control device contains carbon disulfide, you must conduct emissions testing according to paragraph (g)(3)(i) or (ii) of this section.

(i) If you elect to comply with the percent reduction emission limits in Tables 1 through 7 to this subpart, and carbon disulfide is the principal organic HAP component (*i.e.*, greater than 50 percent of the HAP in the

stream by volume), then you must use Method 18, or Method 15 (40 CFR part 60, appendix A) to measure carbon disulfide at the inlet and outlet of the control device. Use the percent reduction in carbon disulfide as a surrogate for the percent reduction in total organic HAP emissions.

(ii) If you elect to comply with the outlet total organic compound (TOC) concentration emission limits in Tables 1 through 7 to this subpart, and the uncontrolled or inlet gas stream to the control device contains greater than 10 percent (volume concentration) carbon disulfide, you must use Method 18 or Method 15 to separately determine the carbon disulfide concentration. Calculate the total HAP or TOC emissions by totaling the carbon disulfide emissions measured using Method 18 or 15 and the other HAP emissions measured using Method 18 or 25A.

(4) As an alternative to using Method 18, Method 25/25A, or Method 26/26A of 40 CFR part 60, appendix A, to comply with any of the emission limits specified in Tables 1 through 7 to this subpart, you may use Method 320 of 40 CFR part 60, appendix A. When using Method 320, you must follow the analyte spiking procedures of section 13 of Method 320, unless you demonstrate that the complete spiking procedure has been conducted at a similar source.

(5) Section 63.997(c)(1) does not apply. For the purposes of this subpart, results of all initial compliance demonstrations must be included in the notification of compliance status report, which is due 150 days after the compliance date, as specified in § 63.2520(d)(1).

(h) *Design evaluation.* To determine the percent reduction of a small control device, you may elect to conduct a design evaluation as specified in § 63.1257(a)(1) instead of a performance test as specified in subpart SS of this part 63. You must establish the value(s) and basis for the operating limits as part of the design evaluation.

(i) *Outlet concentration correction for supplemental gases.* In § 63.997(e)(2)(iii)(C), the correction to 3 percent oxygen for emission streams at the outlet of combustion devices is required if you add supplemental gases, as defined in § 63.2550, to the vent stream or manifold.

(j) *Continuous emissions monitoring systems.* Each continuous emissions monitoring system (CEMS) must be installed, operated, and maintained according to the requirements in § 63.8 and paragraphs (j)(1) through (5) of this section.

(1) Each CEMS must be installed, operated, and maintained according to the applicable Performance Specification of 40 CFR part 60, appendix B, and according to paragraph (j)(2) of this section, except as specified in paragraph (j)(1)(i) of this section. For any CEMS meeting Performance Specification 8, you must also comply with appendix F, procedure 1 of 40 CFR part 60.

(i) If you wish to use a CEMS other than a Fourier Transform Infrared Spectroscopy (FTIR) meeting the requirements of Performance Specification 15 to measure hydrogen halide and halogen HAP before we promulgate a Performance Specification for such CEMS, you must prepare a monitoring plan and submit it for approval in accordance with the procedures specified in § 63.8.

(ii) [Reserved]

(2) You must determine the calibration gases and reporting units for TOC CEMS in accordance with paragraph (j)(2)(i), (ii), or (iii) of this section.

(i) For CEMS meeting Performance Specification 9 or 15 requirements, determine the target analyte(s) for calibration using either process knowledge of the control device inlet stream or the screening procedures of Method 18 on the control device inlet stream.

(ii) For CEMS meeting Performance Specification 8 used to monitor performance of a combustion device, calibrate the instrument on the predominant organic HAP and report the results as carbon (C₁), and use Method 25A or any approved alternative as the reference method for the relative accuracy tests.

(iii) For CEMS meeting Performance Specification 8 used to monitor performance of a noncombustion device, determine the predominant organic HAP using either process knowledge or the screening procedures of Method 18 on the control device inlet stream, calibrate the monitor on the predominant organic HAP, and report the results as C₁. Use Method 18, ASTM

D6420-99, or any approved alternative as the reference method for the relative accuracy tests, and report the results as C₁.

(3) You must conduct a performance evaluation of each CEMS according to the requirements in 40 CFR 63.8 and according to the applicable Performance Specification of 40 CFR part 60, appendix B, except that the schedule in § 63.8(e)(4) does not apply, and the results of the performance evaluation must be included in the notification of compliance status report.

(4) The CEMS data must be reduced to operating day or operating block averages computed using valid data consistent with the data availability requirements specified in § 63.999(c)(6)(i)(B) through (D), except monitoring data also are sufficient to constitute a valid hour of data if measured values are available for at least two of the 15-minute periods during an hour when calibration, quality assurance, or maintenance activities are being performed. An operating block is a period of time from the beginning to end of batch operations within a process. Operating block averages may be used only for batch process vent data.

(5) If you add supplemental gases, you must correct the measured concentrations in accordance with paragraph (i) of this section and § 63.2460(c)(6).

(k) *Continuous parameter monitoring.* The provisions in paragraphs (k)(1) through (4) of this section apply in addition to the requirements for continuous parameter monitoring system (CPMS) in subpart SS of this part 63.

(1) You must record the results of each calibration check and all maintenance performed on the CPMS as specified in § 63.998(c)(1)(ii)(A).

(2) When subpart SS of this part 63 uses the term "a range" or "operating range" of a monitored parameter, it means an "operating limit" for a monitored parameter for the purposes of this subpart.

(3) As an alternative to measuring pH as specified in § 63.994(c)(1)(i), you may elect to continuously monitor the caustic strength of the scrubber effluent.

(4) As an alternative to the inlet and outlet temperature monitoring requirements for catalytic incinerators as specified in § 63.988(c)(2), you may elect to comply with the requirements specified in paragraphs (k)(4)(i) through (iii) of this section.

(i) Monitor the inlet temperature as specified in subpart SS of this part 63.

(ii) Check the activity level of the catalyst at least every 12 months and take any necessary corrective action, such as replacing the catalyst to ensure that the catalyst is performing as designed.

(iii) Maintain records of the annual checks of catalyst activity levels and the subsequent corrective actions.

(l) *Startup, shutdown, and malfunction.* Sections 63.152(f)(7)(ii) through (iv) and 63.998(b)(2)(iii) and (b)(6)(i)(A), which apply to the exclusion of monitoring data collected during periods of SSM from daily averages, do not apply for the purposes of this subpart.

(m) *Reporting.* (1) When §§ 63.2455 through 63.2490 reference other subparts in this part 63 that use the term "periodic report," it means "compliance report" for the purposes of this subpart. The compliance report must include the information specified in § 63.2520(e), as well as the information specified in referenced subparts.

(2) When there are conflicts between this subpart and referenced subparts for the due dates of reports required by this subpart, reports must be submitted according to the due dates presented in this subpart.

(3) Excused excursions, as defined in subparts G and SS of this part 63, are not allowed.

(n) The option in § 63.997(e)(2)(iv)(C) to demonstrate compliance with a percent reduction emission limit by measuring TOC is not allowed.

(o) You may not use a flare to control halogenated vent streams or hydrogen halide and halogen HAP emissions.

(p) Opening a safety device, as defined in § 63.2550, is allowed at any time conditions require it to avoid unsafe conditions.

(q) If an emission stream contains energetics or organic peroxides that, for safety reasons, cannot meet an applicable emission limit specified in Ta-

bles 1 through 7 to this subpart, then you must submit documentation in your precompliance report explaining why an undue safety hazard would be created if the air emission controls were installed, and you must describe the procedures that you will implement to minimize HAP emissions from these vent streams.

(r) *Surge control vessels and bottoms receivers.* For each surge control vessel or bottoms receiver that meets the capacity and vapor pressure thresholds for a Group 1 storage tank, you must meet emission limits and work practice standards specified in Table 4 to this subpart.

(s) For the purposes of determining Group status for continuous process vents, batch process vents, and storage tanks in §§ 63.2455, 63.2460, and 63.2470, hydrazine is to be considered an organic HAP.

§ 63.2455 What requirements must I meet for continuous process vents?

(a) You must meet each emission limit in Table 1 to this subpart that applies to your continuous process vents, and you must meet each applicable requirement specified in paragraphs (b) through (c) of this section.

(b) For each continuous process vent, you must either designate the vent as a Group 1 continuous process vent or determine the total resource effectiveness (TRE) index value as specified in § 63.115(d), except as specified in paragraphs (b)(1) through (3) of this section.

(1) You are not required to determine the Group status or the TRE index value for any continuous process vent that is combined with Group 1 batch process vents before a control device or recovery device because the requirements of § 63.2450(c)(2)(i) apply to the combined stream.

(2) When a TRE index value of 4.0 is referred to in § 63.115(d), TRE index values of 5.0 for existing affected sources and 8.0 for new and reconstructed affected sources apply for the purposes of this subpart.

(3) When § 63.115(d) refers to "emission reductions specified in § 63.113(a)," the reductions specified in Table 1 to this subpart apply for the purposes of this subpart.

(c) If you use a recovery device to maintain the TRE above a specified threshold, you must meet the requirements of § 63.982(e) and the requirements referenced therein, except as specified in § 63.2450 and paragraph (c)(1) of this section.

(1) When § 63.993 uses the phrase "the TRE index value is between the level specified in a referencing subpart and 4.0," the phrase "the TRE index value is >1.9 but ≤5.0" applies for an existing affected source, and the phrase "the TRE index value is >5.0 but ≤8.0" applies for a new and reconstructed affected source, for the purposes of this subpart.

(2) [Reserved]

§ 63.2460 What requirements must I meet for batch process vents?

(a) You must meet each emission limit in Table 2 to this subpart that applies to you, and you must meet each applicable requirement specified in paragraphs (b) and (c) of this section.

(b) *Group status.* If a process has batch process vents, as defined in § 63.2550, you must determine the group status of the batch process vents by determining and summing the uncontrolled organic HAP emissions from each of the batch process vents within the process using the procedures specified in § 63.1257(d)(2)(i) and (ii), except as specified in paragraphs (b)(1) through (4) of this section.

(1) To calculate emissions caused by the heating of a vessel to a temperature lower than the boiling point, you must use the procedures in § 63.1257(d)(2)(i)(C)(3).

(2) To calculate emissions from depressurization, you must use the procedures in § 63.1257(d)(2)(i)(D)(10).

(3) To calculate emissions from vacuum systems for the purposes of this subpart, the receiving vessel is part of the vacuum system, and terms used in Equation 33 to 40 CFR part 63, subpart GCG, are defined as follows:

P_{system} = absolute pressure of receiving vessel;

P_i = partial pressure of the HAP at the receiver temperature;

P_j = partial pressure of condensable (including HAP) at the receiver temperature;

MW_i = molecular weight of the individual HAP in the emission stream, with HAP partial pressures calculated at the temperature of the receiver.

(4) You may elect to designate the batch process vents within a process as Group 1 and not calculate uncontrolled emissions under either of the situations described in paragraph (b)(4)(i) or (ii) of this section.

(i) If you comply with the alternative standard specified in § 63.2505.

(ii) If all Group 1 batch process vents within a process are controlled; you conduct the performance test under hypothetical worst case conditions, as defined in § 63.1257(b)(8)(i)(B); and the emission profile is based on capture and control system limitations as specified in § 63.1257(b)(8)(ii)(C).

(c) Exceptions to the requirements in subpart SS of this part 63 are specified in paragraphs (c)(1) through (7) of this section.

(1) *Process condensers.* Process condensers, as defined in § 63.1251, are not considered to be control devices for batch process vents.

(2) *Initial compliance.* (i) To demonstrate initial compliance with a percent reduction emission limit in Table 2 to this subpart, you must compare the sums of the controlled and uncontrolled emissions for the applicable Group 1 batch process vents within the process and show that the specified reduction is met.

(ii) When you conduct a performance test or design evaluation for a control device used to control emissions from batch process vents, you must establish emission profiles and conduct the test under worst-case conditions according to § 63.1257(b)(8) instead of under normal operating conditions as specified in § 63.7(e)(1). The requirements in § 63.997(e)(1)(i) and (iii) also do not apply for performance tests conducted to determine compliance with the emission limits for batch process vents. References in § 63.997(b)(1) to "methods specified in § 63.997(e)" include the methods specified in § 63.1257(b)(8).

(iii) As an alternative to conducting a performance test or design evaluation for a condenser, you may determine controlled emissions using the procedures specified in § 63.1257(d)(3)(i)(B).

(iv) When § 63.1257(d)(3)(i)(B)(7) specifies that condenser-controlled emissions from an air dryer must be calculated using Equation 11 of 40 CFR

part 63, subpart GGG, with "V equal to the air flow rate," it means "V equal to the dryer outlet gas flow rate," for the purposes of this subpart. Alternatively, you may use Equation 12 of 40 CFR part 63, subpart GGG, with V equal to the dryer inlet air flow rate. Account for time as appropriate in either equation.

(v) You must demonstrate that each process condenser is properly operated according to the procedures specified in § 63.1257(d)(2)(i)(C)(4)(i) and (d)(3)(iii)(B). The reference in § 63.1257(d)(3)(iii)(B) to the alternative standard in § 63.1254(c) means § 63.2505 for the purposes of this subpart. As an alternative to measuring the exhaust gas temperature, as required by § 63.1257(d)(3)(iii)(B), you may elect to measure the liquid temperature in the receiver.

(vi) You must conduct a subsequent performance test or compliance demonstration equivalent to an initial compliance demonstration within 180 days of a change in the worst-case conditions.

(3) *Establishing operating limits.* You must establish operating limits under the conditions required for your initial compliance demonstration, except you may elect to establish operating limit(s) for conditions other than those under which a performance test was conducted as specified in paragraph (c)(3)(i) of this section and, if applicable, paragraph (c)(3)(ii) of this section.

(i) The operating limits may be based on the results of the performance test and supplementary information such as engineering assessments and manufacturer's recommendations. These limits may be established for conditions as unique as individual emission episodes for a batch process. You must provide rationale in the precompliance report for the specific level for each operating limit, including any data and calculations used to develop the limit and a description of why the limit indicates proper operation of the control device. The procedures provided in this paragraph (c)(3)(i) have not been approved by the Administrator and determination of the operating limit using these procedures is subject to review and approval by the Administrator.

(ii) If you elect to establish separate monitoring levels for different emission episodes within a batch process, you must maintain records in your daily schedule or log of processes indicating each point at which you change from one operating limit to another, even if the duration of the monitoring for an operating limit is less than 15 minutes. You must maintain a daily schedule or log of processes according to § 63.2525(c).

(4) *Averaging periods.* As an alternative to the requirement for daily averages in § 63.998(b)(3), you may determine averages for operating blocks. An operating block is a period of time that is equal to the time from the beginning to end of batch process operations within a process.

(5) *Periodic verification.* For a control device with total inlet HAP emissions less than 1 tpy, you must establish an operating limit(s) for a parameter(s) that you will measure and record at least once per averaging period (*i.e.*, daily or block) to verify that the control device is operating properly. You may elect to measure the same parameter(s) that is required for control devices that control inlet HAP emissions equal to or greater than 1 tpy. If the parameter will not be measured continuously, you must request approval of your proposed procedure in the precompliance report. You must identify the operating limit(s) and the measurement frequency, and you must provide rationale to support how these measurements demonstrate the control device is operating properly.

(6) *Outlet concentration correction for supplemental gases.* If you use a control device other than a combustion device to comply with a TOC, organic HAP, or hydrogen halide and halogen HAP outlet concentration emission limit for batch process vents, you must correct the actual concentration for supplemental gases using Equation 1 of this section; you may use process knowledge and representative operating data to determine the fraction of the total flow due to supplemental gas.

$$C_a = C_m \left(\frac{Q_s + Q_a}{Q_a} \right) \quad (\text{Eq. 1})$$

Where:

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C_a = corrected outlet TOC, organic HAP, or hydrogen halide and halogen HAP concentration, dry basis, ppmv;

C_m = actual TOC, organic HAP, or hydrogen halide and halogen HAP concentration measured at control device outlet, dry basis, ppmv;

Q_a = total volumetric flowrate of all gas streams vented to the control device, except supplemental gases;

Q_s = total volumetric flowrate of supplemental gases.

(7) If flow to a control device could be intermittent, you must install, calibrate, and operate a flow indicator at the inlet or outlet of the control device to identify periods of no flow. Periods of no flow may not be used in daily or block averages, and it may not be used in fulfilling a minimum data availability requirement.

§ 63.2465 What requirements must I meet for process vents that emit hydrogen halide and halogen HAP or PM HAP?

(a) You must meet each emission limit in Table 3 to this subpart that applies to you, and you must meet each applicable requirement in paragraphs (b) through (d) of this section.

(b) If any process vents within a process emit hydrogen halide and halogen HAP, you must determine and sum the uncontrolled hydrogen halide and halogen HAP emissions from each of the process vents within the process using the procedures specified in § 63.1257(d)(2)(i) and (ii).

(c) If collective uncontrolled hydrogen halide and halogen HAP emissions from the process vents within a process are greater than or equal to 1,000 pounds per year (lb/yr), you must comply with § 63.994 and the requirements referenced therein, except as specified in paragraphs (c)(1) through (3) of this section.

(1) When § 63.994(b)(1) requires a performance test, you may elect to conduct a design evaluation in accordance with § 63.1257(a)(1).

(2) When § 63.994(b)(1) refers to "a combustion device followed by a halogen scrubber or other halogen reduction device," it means any combination of control devices used to meet the emission limits specified in Table 3 to this subpart.

(3) Section 63.994(b)(2) does not apply for the purposes of this section.

(d) To demonstrate compliance with the particulate matter (PM) HAP emission limit for new sources in Table 3 to this subpart, you must comply with paragraphs (d)(1) and (2) of this section.

(1) Use Method 5 of appendix A of 40 CFR part 60 to determine the concentration of PM HAP at the inlet and outlet of a control device.

(2) Comply with the monitoring requirements specified in § 63.1366(b)(1)(xi) for each fabric filter used to control PM HAP emissions.

§ 63.2470 What requirements must I meet for storage tanks?

(a) You must meet each emission limit in Table 4 to this subpart that applies to your storage tanks, and you must meet each applicable requirement specified in paragraphs (b) through (e) of this section.

(b) If you reduce organic HAP emissions by venting emissions to a fuel gas system or process, you must meet the requirements of § 63.982(d) and the requirements referenced therein.

(c) *Exceptions to subparts SS and WW of this part 63.*

(1) If you conduct a performance test or design evaluation for a control device used to control emissions only from storage tanks, you must establish operating limits, conduct monitoring, and keep records using the same procedures as required in subpart SS of this part 63 for control devices used to reduce emissions from process vents instead of the procedures specified in §§ 63.985(c), 63.998(d)(2)(i), and 63.999(b)(2).

(2) When the term "storage vessel" is used in subparts SS and WW of this part 63, the term "storage tank," as defined in § 63.2550 applies for the purposes of this subpart.

(d) *Planned routine maintenance.* The emission limits in Table 4 to this subpart for control devices used to control emissions from storage tanks do not apply during periods of planned routine maintenance. Periods of planned routine maintenance of each control device, during which the control device does not meet the emission limit specified in Table 4 to this subpart, must not exceed 240 hours per year (hr/yr).

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You may submit an application to the Administrator requesting an extension of this time limit to a total of 360 hr/yr. The application must explain why the extension is needed, it must indicate that no material will be added to the storage tank between the time the 240-hr limit is exceeded and the control device is again operational, and it must be submitted at least 60 days before the 240-hr limit will be exceeded.

(e) *Vapor balancing alternative.* As an alternative to the emission limits specified in Table 4 to this subpart, you may elect to implement vapor balancing in accordance with § 63.1253(f), except as specified in paragraphs (e)(1) through (3) of this section.

(1) When § 63.1253(f)(6)(i) refers to a 90 percent reduction, 95 percent applies for the purposes of this subpart.

(2) To comply with § 63.1253(f)(6)(i), the owner or operator of an offsite cleaning and reloading facility must comply with §§ 63.2445 through 63.2550 instead of complying with § 63.1253(f)(7)(ii).

(3) You may elect to set a pressure relief device to a value less than the 2.5 pounds per square inch gage pressure (psig) required in § 63.1253(f)(5) if you provide rationale in your notification of compliance status report explaining why the alternative value is sufficient to prevent breathing losses at all times.

§ 63.2475 What requirements must I meet for transfer racks?

(a) You must comply with each emission limit and work practice standard in Table 5 to this subpart that applies to your transfer racks, and you must meet each applicable requirement in paragraphs (b) and (c) of this section.

(b) When the term "high throughput transfer rack" is used in subpart SS of this part 63, the term "Group 1 transfer rack," as defined in § 63.2550, applies for the purposes of this subpart.

(c) If you reduce organic HAP emissions by venting emissions to a fuel gas system or process, you must meet the requirements of § 63.982(d) and the requirements referenced therein.

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§ 63.2480 What requirements must I meet for equipment leaks?

(a) You must meet each requirement in Table 6 to this subpart that applies to your equipment leaks, except as specified in paragraphs (b) and (c) of this section.

(b) The requirements for pressure testing in § 63.1036(b) may be applied to all processes, not just batch processes.

(c) For the purposes of this subpart, pressure testing for leaks in accordance with § 63.1036(b) is not required after reconfiguration of an equipment train if flexible hose connections are the only disturbed equipment.

§ 63.2485 What requirements must I meet for wastewater streams and liquid streams in open systems within an MCPU?

(a) You must meet each requirement in Table 7 to this subpart that applies to your wastewater streams and liquid streams in open systems within an MCPU, except as specified in paragraphs (b) through (l) of this section.

(b) *Wastewater HAP.* Where § 63.105 and §§ 63.132 through 63.148 refer to compounds in Table 9 of subpart G of this part 63, the compounds in Tables 8 and 9 to this subpart apply for the purposes of this subpart.

(c) *Group 1 wastewater.* Section 63.132(c)(1) (i) and (ii) do not apply. For the purposes of this subpart, a process wastewater stream is Group 1 for compounds in Tables 8 and 9 to this subpart if any of the conditions specified in paragraphs (c) (1) through (3) of this section are met.

(1) The total annual average concentration of compounds in Table 8 to this subpart is greater than 50 ppmw, and the combined total annual average concentration of compounds in Tables 8 and 9 to this subpart is greater than or equal to 10,000 ppmw at any flowrate.

(2) The total annual average concentration of compounds Table 8 to this subpart is greater 50 ppmw, the combined total annual average concentration of compounds in Tables 8 and 9 to this subpart is greater than or equal to 1,000 ppmw, and the annual average flowrate is greater than or equal to 1 l/min.

(3) The total annual average concentration of compounds in Table 8 to

this subpart is less than or equal to 50 ppmw, the total annual average concentration of compounds in Table 9 to this subpart is greater than or equal to 30,000 ppmw at an existing source or greater than or equal to 4,500 ppmw at a new source, and the total annual load of compounds in Table 9 to this subpart is greater than or equal to 1 tpy.

(d) *Wastewater tank requirements.* (1) When §§ 63.133 and 63.147 reference floating roof requirements in §§ 63.119 and 63.120, the corresponding requirements in subpart WW of this part 63 may be applied for the purposes of this subpart.

(2) When § 63.133 refers to Table 9 of subpart G of this part 63, the maximum true vapor pressure in the table shall be limited to the HAP listed in Tables 8 and 9 to this subpart.

(3) For the purposes of this subpart, the requirements of § 63.133(a)(2) are satisfied by operating and maintaining a fixed roof if you demonstrate that the total soluble and partially soluble HAP emissions from the wastewater tank are no more than 5 percent higher than the emissions would be if the contents of the wastewater tank were not heated, treated by an exothermic reaction, or sparged.

(4) The emission limits specified in §§ 63.133(b)(2) and 63.139 for control devices used to control emissions from wastewater tanks do not apply during periods of planned routine maintenance of the control device(s) of no more than 240 hr/yr. You may request an extension to a total of 360 hr/yr in accordance with the procedures specified in § 63.2470(d).

(e) *Individual drain systems.* The provisions of § 63.136(e)(3) apply except as specified in paragraph (e)(1) of this section.

(1) A sewer line connected to drains that are in compliance with § 63.136(e)(1) may be vented to the atmosphere, provided that the sewer line entrance to the first downstream junction box is water sealed and the sewer line vent pipe is designed as specified in § 63.136(e)(2)(ii)(A).

(2) [Reserved]

(f) *Closed-vent system requirements.* When § 63.148(k) refers to closed vent systems that are subject to the requirements of § 63.172, the requirements

of either § 63.172 or § 63.1034 apply for the purposes of this subpart.

(g) *Halogenated vent stream requirements.* For each halogenated vent stream from a Group 1 wastewater stream or residual removed from a Group 1 wastewater stream that is vented through a closed-vent system to a combustion device to reduce organic HAP emissions, you must meet the same emission limits as specified for batch process vents in item 2 of Table 2 to this subpart.

(h) *Alternative test methods.* (1) As an alternative to the test methods specified in § 63.144(b)(5)(i), you may use Method 8260 or 8270 as specified in § 63.1257(b)(10)(iii).

(2) As an alternative to using the methods specified in § 63.144(b)(5)(i), you may conduct wastewater analyses using Method 1666 or 1671 of 40 CFR part 136 and comply with the sampling protocol requirements specified in § 63.144(b)(5)(ii). The validation requirements specified in § 63.144(b)(5)(iii) do not apply if you use Method 1666 or 1671 of 40 CFR part 136.

(3) As an alternative to using Method 18 of 40 CFR part 60, as specified in §§ 63.139(c)(1)(i) and 63.145(i)(2), you may elect to use Method 25A of 40 CFR part 60 as specified in § 63.997.

(i) *Offsite management and treatment option.* (1) If you ship wastewater to an offsite treatment facility that meets the requirements of § 63.138(h), you may elect to document in your notification of compliance status report that the wastewater will be treated as hazardous waste at a facility that meets the requirements of § 63.138(h) as an alternative to having the offsite facility submit the certification specified in § 63.132(g)(2).

(2) As an alternative to the management and treatment options specified in § 63.132(g)(2), any affected wastewater stream (or residual removed from an affected wastewater stream) with a total annual average concentration of compounds in Table 8 to this subpart less than 50 ppmw may be transferred offsite in accordance with paragraphs (1)(2)(i) and (ii) of this section.

(i) The transferee (or you) must demonstrate that less than 5 percent of the

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HAP in Table 9 to this subpart is emitted from the waste management units up to the activated sludge unit.

(ii) The transferee must treat the wastewater stream or residual in a biological treatment unit in accordance with §§ 63.138 and 63.145 and the requirements referenced therein.

(j) You must determine the annual average concentration and annual average flowrate for wastewater streams for each MCPU. The procedures for flexible operation units specified in § 63.144 (b) and (c) do not apply for the purposes of this subpart.

(k) The requirement to correct outlet concentrations from combustion devices to 3 percent oxygen in §§ 63.139(c)(1)(ii) and 63.146(i)(6) applies only if supplemental gases are combined with a vent stream from a Group 1 wastewater stream. If emissions are controlled with a vapor recovery system as specified in § 63.139(c)(2), you must correct for supplemental gases as specified in § 63.2460(c)(6).

(l) *Requirements for liquid streams in open systems.* (1) References in § 63.149 to § 63.100(b) mean § 63.2435(b) for the purposes of this subpart.

(2) When § 63.149(e) refers to 40 CFR 63.100(l) (1) or (2), § 63.2445(a) applies for the purposes of this subpart.

(3) When § 63.149 uses the term "chemical manufacturing process unit," the term "MCPU" applies for the purposes of this subpart.

(4) When § 63.149(e)(1) refers to characteristics of water that contain compounds in Table 9 to 40 CFR part 63, subpart G, the characteristics specified in paragraphs (c) (1) through (3) of this section apply for the purposes of this subpart.

(5) When § 63.149(e)(2) refers to characteristics of water that contain compounds in Table 9 to 40 CFR part 63, subpart G, the characteristics specified in paragraph (c)(2) of this section apply for the purposes of this subpart.

§ 63.2490 What requirements must I meet for heat exchange systems?

(a) You must comply with each requirement in Table 10 to this subpart that applies to your heat exchange systems, except as specified in paragraphs (b) and (c) of this section.

(b) The phrase "a chemical manufacturing process unit meeting the conditions of § 63.100 (b)(1) through (b)(3) of this section" in § 63.104(a) means "an MCPU meeting the conditions of § 63.2435" for the purposes of this subpart.

(c) The reference to § 63.100(c) in § 63.104(a) does not apply for the purposes of this subpart.

ALTERNATIVE MEANS OF COMPLIANCE

§ 63.2495 How do I comply with the pollution prevention standard?

(a) You may elect to comply with the pollution prevention alternative requirements specified in paragraphs (a) (1) and (2) of this section in lieu of the emission limitations and work practice standards contained in Tables 1 through 7 to this subpart for any MCPU for which initial startup occurred before April 4, 2002.

(1) You must reduce the production-indexed HAP consumption factor (HAP factor) by at least 65 percent from a 3-year average baseline beginning no earlier than the 1994 through 1996 calendar years. For any reduction in the HAP factor that you achieve by reducing HAP that are also volatile organic compounds (VOC), you must demonstrate an equivalent reduction in the production-indexed VOC consumption factor (VOC factor) on a mass basis. For any reduction in the HAP factor that you achieve by reducing a HAP that is not a VOC, you may not increase the VOC factor.

(2) Any MCPU for which you seek to comply by using the pollution prevention alternative must begin with the same starting material(s) and end with the same product(s). You may not comply by eliminating any steps of a process by transferring the step offsite (to another manufacturing location). You may also not merge a solvent recovery step conducted offsite to onsite and as part of an existing process as a method of reducing consumption.

(3) You may comply with the requirements of paragraph (a)(1) of this section for a series of processes, including situations where multiple processes are merged, if you demonstrate to the satisfaction of the Administrator that the multiple processes were merged after

the baseline period into an existing process or processes.

(b) *Exclusions.* (1) You must comply with the emission limitations and work practice standards contained in Tables 1 through 7 to this subpart for all HAP that are generated in the MCPU and that are not included in consumption, as defined in § 63.2550. Hydrogen halides that are generated as a result of combustion control must be controlled according to the requirements of § 63.994 and the requirements referenced therein.

(2) You may not merge nondedicated formulation or nondedicated solvent recovery processes with any other processes.

(c) *Initial compliance procedures.* To demonstrate initial compliance with paragraph (a) of this section, you must prepare a demonstration summary in accordance with paragraph (c) (1) of this section and calculate baseline and target annual HAP and VOC factors in accordance with paragraphs (c) (2) and (3) of this section.

(1) *Demonstration plan.* You must prepare a pollution prevention demonstration plan that contains, at a minimum, the information in paragraphs (c)(1) (i) through (iii) of this section for each MCPU for which you comply with paragraph (a) of this section.

(i) Descriptions of the methodologies and forms used to measure and record consumption of HAP and VOC compounds.

(ii) Descriptions of the methodologies and forms used to measure and record production of the product(s).

(iii) Supporting documentation for the descriptions provided in accordance with paragraphs (c)(1) (i) and (ii) of this section including, but not limited to, samples of operator log sheets and dally, monthly, and/or annual inventories of materials and products. You must describe how this documentation will be used to calculate the annual factors required in paragraph (d) of this section.

(2) *Baseline factors.* You must calculate baseline HAP and VOC factors by dividing the consumption of total HAP and total VOC by the production rate, per process, for the first 3-year period in which the process was operational, beginning no earlier than the

period consisting of the 1994 through 1996 calendar years.

(3) *Target annual factors.* You must calculate target annual HAP and VOC factors. The target annual HAP factor must be equal to 35 percent of the baseline HAP factor. The target annual VOC factor must be lower than the baseline VOC factor by an amount equivalent to the reduction in any HAP that is also a VOC, on a mass basis. The target annual VOC factor may be the same as the baseline VOC factor if the only HAP you reduce is not a VOC.

(d) *Continuous compliance requirements.* You must calculate annual rolling average values of the HAP and VOC factors (annual factors) in accordance with the procedures specified in paragraphs (d) (1) through (3) of this section. To show continuous compliance, the annual factors must be equal to or less than the target annual factors calculated according to paragraph (c)(3) of this section.

(1) To calculate the annual factors, you must divide the consumption of both total HAP and total VOC by the production rate, per process, for 12-month periods at the frequency specified in either paragraph (d) (2) or (3) of this section, as applicable.

(2) For continuous processes, you must calculate the annual factors every 30 days for the 12-month period preceding the 30th day (i.e., annual rolling average calculated every 30 days). A process with both batch and continuous operations is considered a continuous process for the purposes of this section.

(3) For batch processes, you must calculate the annual factors every 10 batches for the 12-month period preceding the 10th batch (i.e., annual rolling average calculated every 10 batches), except as specified in paragraphs (d)(3) (i) and (ii) of this section.

(i) If you produce more than 10 batches during a month, you must calculate the annual factors at least once during that month.

(ii) If you produce less than 10 batches in a 12-month period, you must calculate the annual factors for the number of batches in the 12-month period since the previous calculations.

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(e) *Records.* You must keep records of HAP and VOC consumption, production, and the rolling annual HAP and VOC factors for each MCPU for which you are complying with paragraph (a) of this section.

(f) *Reporting.* (1) You must include the pollution prevention demonstration plan in the precompliance report required by § 63.2520(c).

(2) You must identify all days when the annual factors were above the target factors in the compliance reports.

§ 63.2500 How do I comply with emissions averaging?

(a) For an existing source, you may elect to comply with the percent reduction emission limitations in Tables 1, 2, 4, 5, and 7 to this subpart by complying with the emissions averaging provisions specified in § 63.150, except as specified in paragraphs (b) through (f) of this section.

(b) The batch process vents in an MCPU collectively are considered one individual emission point for the purposes of emissions averaging, except that only individual batch process vents must be excluded to meet the requirements of § 63.150(d)(5).

(c) References in § 63.150 to §§ 63.112 through 63.130 mean the corresponding requirements in §§ 63.2450 through 63.2490, including applicable monitoring, recordkeeping, and reporting.

(d) References to "periodic reports" in § 63.150 mean "compliance report" for the purposes of this subpart.

(e) For batch process vents, estimate uncontrolled emissions for a standard batch using the procedures in § 63.1257(d)(2)(i) and (ii) instead of the procedures in § 63.150(g)(2). Multiply the calculated emissions per batch by the number of batches per month when calculating the monthly emissions for use in calculating debits and credits.

(f) References to "storage vessels" in § 63.150 mean "storage tank" as defined in § 63.2550 for the purposes of this subpart.

§ 63.2505 How do I comply with the alternative standard?

As an alternative to complying with the emission limits and work practice standards for process vents and storage tanks in Tables 1 through 4 to this sub-

part and the requirements in §§ 63.2455 through 63.2470, you may comply with the emission limits in paragraph (a) of this section and demonstrate compliance in accordance with the requirements in paragraph (b) of this section.

(a) *Emission limits and work practice standards.* (1) You must route vent streams through a closed-vent system to a control device that reduces HAP emissions as specified in either paragraph (a)(1)(i) or (ii) of this section.

(i) If you use a combustion control device, it must reduce HAP emissions as specified in paragraphs (a)(1)(i)(A), (B), and (C) of this section.

(A) To an outlet TOC concentration of 20 parts per million by volume (ppmv) or less.

(B) To an outlet concentration of hydrogen halide and halogen HAP of 20 ppmv or less.

(C) As an alternative to paragraph (a)(1)(i)(B) of this section, if you control halogenated vent streams emitted from a combustion device followed by a scrubber, reduce the hydrogen halide and halogen HAP generated in the combustion device by greater than or equal to 95 percent by weight in the scrubber.

(ii) If you use a noncombustion control device(s), it must reduce HAP emissions to an outlet total organic HAP concentration of 50 ppmv or less, and an outlet concentration of hydrogen halide and halogen HAP of 50 ppmv or less.

(2) Any Group 1 process vents within a process that are not controlled according to this alternative standard must be controlled according to the emission limits in Tables 1 through 3 to this subpart.

(b) *Compliance requirements.* To demonstrate compliance with paragraph (a) of this section, you must meet the requirements of § 63.1258(b)(5)(i) beginning no later than the initial compliance date specified in § 63.2445, except as specified in paragraphs (b)(1) through (7) of this section.

(1) You must comply with the requirements in § 63.983 and the requirements referenced therein for closed-vent systems.

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(2) When § 63.1258(b)(5)(i) refers to §§ 63.1253(d) and 63.1254(c), the requirements in paragraph (a) of this section apply for the purposes of this subpart.

(3) You must submit the results of any determination of the target analytes or predominant HAP in the notification of compliance status report.

(4) When § 63.1258(b)(5)(i)(B) refers to "HCl," it means "total hydrogen halide and halogen HAP" for the purposes of this subpart.

(5) If you elect to comply with the requirement to reduce hydrogen halide and halogen HAP by greater than or equal to 95 percent by weight in paragraph (a)(1)(i)(C) of this section, you must meet the requirements in paragraphs (b)(5)(i) and (ii) of this section.

(i) Demonstrate initial compliance with the 95 percent reduction by conducting a performance test and setting a site-specific operating limit(s) for the scrubber in accordance with § 63.994 and the requirements referenced therein. You must submit the results of the initial compliance demonstration in the notification of compliance status report.

(ii) Install, operate, and maintain CPMS for the scrubber as specified in § 63.2450(k), instead of as specified in § 63.1258(b)(5)(i)(C).

(6) If flow to the scrubber could be intermittent, you must install, calibrate, and operate a flow indicator as specified in § 63.2460(c)(7).

(7) Use the operating day as the averaging period for CEMS data and scrubber parameter monitoring data.

NOTIFICATION, REPORTS, AND RECORDS

§ 63.2515 What notifications must I submit and when?

(a) You must submit all of the notifications in §§ 63.6(h)(4) and (5), 63.7(b) and (c), 63.8(e), (f)(4) and (6), and 63.9(b) through (h) that apply to you by the dates specified.

(b) *Initial notification.* As specified in § 63.9(b)(2), if you startup your affected source before November 10, 2003, you must submit an initial notification not later than 120 calendar days after November 10, 2003.

(2) As specified in § 63.9(b)(3), if you startup your new affected source on or

after November 10, 2003, you must submit an initial notification not later than 120 calendar days after you become subject to this subpart.

(c) *Notification of performance test.* If you are required to conduct a performance test, you must submit a notification of intent to conduct a performance test at least 60 calendar days before the performance test is scheduled to begin as required in § 63.7(b)(1). For any performance test required as part of the initial compliance procedures for batch process vents in Table 2 to this subpart, you must also submit the test plan required by § 63.7(c) and the emission profile with the notification of the performance test.

§ 63.2520 What reports must I submit and when?

(a) You must submit each report in Table 11 to this subpart that applies to you.

(b) Unless the Administrator has approved a different schedule for submission of reports under § 63.10(a), you must submit each report by the date in Table 11 to this subpart and according to paragraphs (b)(1) through (5) of this section.

(1) The first compliance report must cover the period beginning on the compliance date that is specified for your affected source in § 63.2445 and ending on June 30 or December 31, whichever date is the first date following the end of the first 6 months after the compliance date that is specified for your affected source in § 63.2445.

(2) The first compliance report must be postmarked or delivered no later than August 31 or February 28, whichever date is the first date following the end of the first reporting period specified in paragraph (b)(1) of this section.

(3) Each subsequent compliance report must cover the semiannual reporting period from January 1 through June 30 or the semiannual reporting period from July 1 through December 31.

(4) Each subsequent compliance report must be postmarked or delivered no later than August 31 or February 28, whichever date is the first date following the end of the semiannual reporting period.

(5) For each affected source that is subject to permitting regulations pursuant to 40 CFR part 70 or 40 CFR part 71, and if the permitting authority has established dates for submitting semi-annual reports pursuant to 40 CFR 70.6(a)(3)(iii)(A) or 40 CFR 71.6(a)(3)(iii)(A), you may submit the first and subsequent compliance reports according to the dates the permitting authority has established instead of according to the dates in paragraphs (b)(1) through (4) of this section.

(c) *Precompliance report.* You must submit a precompliance report to request approval for any of the items in paragraphs (c)(1) through (7) of this section. We will either approve or disapprove the report within 90 days after we receive it. If we disapprove the report, you must still be in compliance with the emission limitations and work practice standards in this subpart by the compliance date. To change any of the information submitted in the report, you must notify us 60 days before the planned change is to be implemented.

(1) Requests for approval to set operating limits for parameters other than those specified in §§ 63.2455 through 63.2485 and referenced therein. Alternatively, you may make these requests according to § 63.8(f).

(2) Descriptions of daily or per batch demonstrations to verify that control devices subject to § 63.2460(c)(5) are operating as designed.

(3) A description of the test conditions, data, calculations, and other information used to establish operating limits according to § 63.2460(c)(3).

(4) Data and rationale used to support an engineering assessment to calculate uncontrolled emissions in accordance with § 63.1257(d)(2)(ii).

(5) The pollution prevention demonstration plan required in § 63.2495(c)(1), if you are complying with the pollution prevention alternative.

(6) Documentation of the practices that you will implement to minimize HAP emissions from streams that contain energetics and organic peroxides, and rationale for why meeting the emission limit specified in Tables 1 through 7 to this subpart would create an undue safety hazard.

(7) For fabric filters that are monitored with bag leak detectors, an operation and maintenance plan that describes proper operation and maintenance procedures, and a corrective action plan that describes corrective actions to be taken, and the timing of those actions, when the PM concentration exceeds the set point and activates the alarm.

(d) *Notification of compliance status report.* You must submit a notification of compliance status report according to the schedule in paragraph (d)(1) of this section, and the notification of compliance status report must contain the information specified in paragraph (d)(2) of this section.

(1) You must submit the notification of compliance status report no later than 150 days after the applicable compliance date specified in § 63.2445.

(2) The notification of compliance status report must include the information in paragraphs (d)(2)(i) through (ix) of this section.

(i) The results of any applicability determinations, emission calculations, or analyses used to identify and quantify HAP emissions from the affected source.

(ii) The results of emissions profiles, performance tests, engineering analyses, design evaluations, flare compliance assessments, inspections and repairs, and calculations used to demonstrate initial compliance according to §§ 63.2455 through 63.2485. For performance tests, results must include descriptions of sampling and analysis procedures and quality assurance procedures.

(iii) Descriptions of monitoring devices, monitoring frequencies, and the operating limits established during the initial compliance demonstrations, including data and calculations to support the levels you establish.

(iv) All operating scenarios.

(v) Descriptions of worst-case operating and/or testing conditions for control devices.

(vi) Identification of parts of the affected source subject to overlapping requirements described in §§ 63.2535 and the authority under which you will comply.

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(vii) The information specified in § 63.1039(a)(1) through (3) for each process subject to the work practice standards for equipment leaks in Table 6 to this subpart.

(viii) Identify storage tanks for which you are complying with the vapor balancing alternative in § 63.2470(g).

(ix) Records as specified in § 63.2535(i)(1) through (3) of process units used to create a PUG and calculations of the initial primary product of the PUG.

(e) *Compliance report.* The compliance report must contain the information specified in paragraphs (e)(1) through (10) of this section.

(1) Company name and address.

(2) Statement by a responsible official with that official's name, title, and signature, certifying the accuracy of the content of the report.

(3) Date of report and beginning and ending dates of the reporting period.

(4) For each SSM during which excess emissions occur, the compliance report must include records that the procedures specified in your startup, shutdown, and malfunction plan (SSMP) were followed or documentation of actions taken that are not consistent with the SSMP, and include a brief description of each malfunction.

(5) The compliance report must contain the information on deviations, as defined in § 63.2550, according to paragraphs (e)(5)(i), (ii), and (iii) of this section.

(i) If there are no deviations from any emission limit, operating limit or work practice standard specified in this subpart, include a statement that there were no deviations from the emission limits, operating limits, or work practice standards during the reporting period.

(ii) For each deviation from an emission limit, operating limit, and work practice standard that occurs at an affected source where you are not using a continuous monitoring system (CMS) to comply with the emission limit or work practice standard in this subpart, you must include the information in paragraphs (e)(5)(ii)(A) through (C) of this section. This includes periods of SSM.

(A) The total operating time of the affected source during the reporting period.

(B) Information on the number, duration, and cause of deviations (including unknown cause, if applicable), as applicable, and the corrective action taken.

(C) Operating logs for the day(s) during which the deviation occurred, except operating logs are not required for deviations of the work practice standards for equipment leaks.

(iii) For each deviation from an emission limit or operating limit occurring at an affected source where you are using a CMS to comply with an emission limit in this subpart, you must include the information in paragraphs (e)(5)(iii)(A) through (L) of this section. This includes periods of SSM.

(A) The date and time that each CMS was inoperative, except for zero (low-level) and high-level checks.

(B) The date, time, and duration that each CEMS was out-of-control, including the information in § 63.8(c)(8).

(C) The date and time that each deviation started and stopped, and whether each deviation occurred during a period of startup, shutdown, or malfunction or during another period.

(D) A summary of the total duration of the deviation during the reporting period, and the total duration as a percent of the total operating time of the affected source during that reporting period.

(E) A breakdown of the total duration of the deviations during the reporting period into those that are due to startup, shutdown, control equipment problems, process problems, other known causes, and other unknown causes.

(F) A summary of the total duration of CMS downtime during the reporting period, and the total duration of CMS downtime as a percent of the total operating time of the affected source during that reporting period.

(G) An identification of each HAP that is known to be in the emission stream.

(H) A brief description of the process units.

(I) A brief description of the CMS.

(J) The date of the latest CMS certification or audit.

(K) Operating logs for each day(s) during which the deviation occurred.

(L) The operating day or operating block average values of monitored parameters for each day(s) during which the deviation occurred.

(6) If you use a CEMS, and there were no periods during which it was out-of-control as specified in § 63.8(c)(7), include a statement that there were no periods during which the CEMS was out-of-control during the reporting period.

(7) Include each new operating scenario which has been operated since the time period covered by the last compliance report and has not been submitted in the notification of compliance status report or a previous compliance report. For each new operating scenario, you must provide verification that the operating conditions for any associated control or treatment device have not been exceeded and that any required calculations and engineering analyses have been performed. For the purposes of this paragraph, a revised operating scenario for an existing process is considered to be a new operating scenario.

(8) Records of process units added to a PUG as specified in § 63.2525(i)(4) and records of primary product redeterminations as specified in § 63.2525(i)(5).

(9) Applicable records and information for periodic reports as specified in referenced subparts F, G, SS, UU, WW, and GGG of this part.

(10) *Notification of process change.* (i) Except as specified in paragraph (e)(10)(ii) of this section, whenever you make a process change, or change any of the information submitted in the notification of compliance status report, that is not within the scope of an existing operating scenario, you must document the change in your compliance report. A process change does not include moving within a range of conditions identified in the standard batch. The notification must include all of the information in paragraphs (e)(10)(i)(A) through (C) of this section.

(A) A description of the process change.

(B) Revisions to any of the information reported in the original notification of compliance status report under paragraph (d) of this section.

(C) Information required by the notification of compliance status report under paragraph (d) of this section for changes involving the addition of processes or equipment at the affected source.

(ii) You must submit a report 60 days before the scheduled implementation date of any of the changes identified in paragraph (e)(10)(i)(A), (B), or (C) of this section.

(A) Any change to the information contained in the precompliance report.

(B) A change in the status of a control device from small to large.

(C) A change from Group 2 to Group 1 for any emission point.

§ 63.2525 What records must I keep?

You must keep the records specified in paragraphs (a) through (k) of this section.

(a) Each applicable record required by subpart A of this part 63 and in referenced subparts F, G, SS, UU, WW, and GGG of this part 63.

(b) Records of each operating scenario as specified in paragraphs (b)(1) through (8) of this section.

(1) A description of the process and the type of process equipment used.

(2) An identification of related process vents, including their associated emissions episodes if not complying with the alternative standard in § 63.2505; wastewater point of determination (POD); storage tanks; and transfer racks.

(3) The applicable control requirements of this subpart, including the level of required control, and for vents, the level of control for each vent.

(4) The control device or treatment process used, as applicable, including a description of operating and/or testing conditions for any associated control device.

(5) The process vents, wastewater POD, transfer racks, and storage tanks (including those from other processes) that are simultaneously routed to the control device or treatment process(s).

(6) The applicable monitoring requirements of this subpart and any parametric level that assures compliance for all emissions routed to the control device or treatment process.

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(7) Calculations and engineering analyses required to demonstrate compliance.

(8) For reporting purposes, a change to any of these elements not previously reported, except for paragraph (b)(5) of this section, constitutes a new operating scenario.

(c) A schedule or log of operating scenarios updated each time a different operating scenario is put into operation.

(d) The information specified in paragraphs (d)(1) and (2) of this section for Group 1 batch process vents in compliance with a percent reduction emission limit in Table 2 to this subpart if some of the vents are controlled to less the percent reduction requirement.

(1) Records of whether each batch operated was considered a standard batch.

(2) The estimated uncontrolled and controlled emissions for each batch that is considered to be a nonstandard batch.

(e) The information specified in paragraphs (e)(1) through (4) of this section for each process with Group 2 batch process vents or uncontrolled hydrogen halide and halogen HAP emissions from the sum of all batch and continuous process vents less than 1,000 lb/yr. No record is required if you documented in the notification of compliance status report that the MCPU does not process, use, or produce HAP.

(1) A record of the day each batch was completed.

(2) A record of whether each batch operated was considered a standard batch.

(3) The estimated uncontrolled and controlled emissions for each batch that is considered to be a nonstandard batch.

(4) Records of the daily 365-day rolling summations of emissions, or alternative records that correlate to the emissions (*e.g.*, number of batches), calculated no less frequently than monthly.

(f) A record of each time a safety device is opened to avoid unsafe conditions in accordance with § 63.2450(s).

(g) Records of the results of each CPMS calibration check and the maintenance performed, as specified in § 63.2450(k)(1).

(h) For each CEMS, you must keep records of the date and time that each deviation started and stopped, and whether the deviation occurred during a period of startup, shutdown, or malfunction or during another period.

(i) For each PUC, you must keep records specified in paragraphs (i)(1) through (5) of this section.

(1) Descriptions of the MCPU and other process units in the initial PUG required by § 63.2535(l)(1)(v).

(2) Rationale for including each MCPU and other process unit in the initial PUG (*i.e.*, identify the overlapping equipment between process units) required by § 63.2535(l)(1)(v).

(3) Calculations used to determine the primary product for the initial PUG required by § 63.2535(l)(2)(iv).

(4) Descriptions of process units added to the PUG after the creation date and rationale for including the additional process units in the PUG as required by § 63.2535(l)(1)(v).

(5) The calculation of each primary product redetermination required by § 63.2535(l)(2)(iv).

(j) In the SSMP required by § 63.6(e)(3), you are not required to include Group 2 emission points, unless those emission points are used in an emissions average. For equipment leaks, the SSMP requirement is limited to control devices and is optional for other equipment.

(k) For each bag leak detector used to monitor PM HAP emissions from a fabric filter, maintain records of any bag leak detection alarm, including the date and time, with a brief explanation of the cause of the alarm and the corrective action taken.

OTHER REQUIREMENTS AND INFORMATION

§ 63.2535 What compliance options do I have if part of my plant is subject to both this subpart and another subpart?

For any equipment, emission stream, or wastewater stream subject to the provisions of both this subpart and another rule, you may elect to comply only with the provisions as specified in paragraphs (a) through (l) of this section. You also must identify the subject equipment, emission stream, or wastewater stream, and the provisions with which you will comply, in your

notification of compliance status report required by § 63.2520(d).

(a) *Compliance with other subparts of this part 63.* If you have an MCPU that includes a batch process vent that also is part of a CMPU as defined in subparts F and G of this part 63, you must comply with the emission limits; operating limits; work practice standards; and the compliance, monitoring, reporting and recordkeeping requirements for batch process vents in this subpart, and you must continue to comply with the requirements in subparts F, G, and H of this part 63 that are applicable to the CMPU and associated equipment.

(b) *Compliance with 40 CFR parts 264 and 265, subparts AA, BB, and/or CC.* (1) After the compliance dates specified in § 63.2445, if a control device that you use to comply with this subpart is also subject to monitoring, recordkeeping, and reporting requirements in 40 CFR part 264, subpart AA, BB, or CC; or the monitoring and recordkeeping requirements in 40 CFR part 265, subpart AA, BB, or CC; and you comply with the periodic reporting requirements under 40 CFR part 264, subpart AA, BB, or CC that would apply to the device if your facility had final-permitted status, you may elect to comply either with the monitoring, recordkeeping, and reporting requirements of this subpart; or with the monitoring and recordkeeping requirements in 40 CFR part 264 or 265 and the reporting requirements in 40 CFR part 264, as described in this paragraph (b)(1), which constitute compliance with the monitoring, recordkeeping, and reporting requirements of this subpart. If you elect to comply with the monitoring, recordkeeping, and reporting requirements in 40 CFR parts 264 and/or 265, you must report the information described in § 63.2520(e).

(2) After the compliance dates specified in § 63.2445, if you have an affected source with equipment that is also subject to 40 CFR part 264, subpart BB, or to 40 CFR part 265, subpart BB, then compliance with the recordkeeping and reporting requirements of 40 CFR parts 264 and/or 265 may be used to comply with the recordkeeping and reporting requirements of this subpart, to the extent that the requirements of 40 CFR

parts 264 and/or 265 duplicate the requirements of this subpart.

(c) *Compliance with 40 CFR part 60, subpart Kb and 40 CFR part 61, subpart Y.* After the compliance dates specified in § 63.2445, you are in compliance with the provisions of this subpart FFFF for any storage tank that is assigned to an MCPU and that is both controlled with a floating roof and in compliance with the provisions of either 40 CFR part 60, subpart Kb, or 40 CFR part 61, subpart Y. You are in compliance with this subpart FFFF if you have a storage tank with a fixed roof, closed-vent system, and control device in compliance with the provisions of either 40 CFR part 60, subpart Kb, or 40 CFR part 61, subpart Y, except that you must comply with the monitoring, recordkeeping, and reporting requirements in this subpart FFFF. Alternatively, if a storage tank assigned to an MCPU is subject to control under 40 CFR part 60, subpart Kb, or 40 CFR part 61, subpart Y, you may elect to comply only with the requirements for Group 1 storage tanks in this subpart FFFF.

(d) *Compliance with subpart I, GGG, or MMM of this part 63.* After the compliance dates specified in § 63.2445, if you have an affected source with equipment subject to subpart I, GGG, or MMM of this part 63, you may elect to comply with the provisions of subpart H, GGG, or MMM of this part 63, respectively, for all such equipment.

(e) *Compliance with subpart GGG of this part 63 for wastewater.* After the compliance dates specified in § 63.2445, if you have an affected source subject to this subpart and you have an affected source that generates wastewater streams that meet the applicability thresholds specified in § 63.1256, you may elect to comply with the provisions of this subpart FFFF for all such wastewater streams.

(f) *Compliance with subpart MMM of this part 63 for wastewater.* After the compliance dates specified in § 63.2445, if you have an affected source subject to this subpart, and you have an affected source that generates wastewater streams that meet the applicability thresholds specified in § 63.1362(d), you may elect to comply with the provisions of this subpart FFFF for all such wastewater streams

(except that the 99 percent reduction requirement for streams subject to § 63.1362(d)(10) still applies).

(g) *Compliance with other regulations for wastewater.* After the compliance dates specified in § 63.2445, if you have a Group 1 wastewater stream that is also subject to provisions in 40 CFR parts 260 through 272, you may elect to determine whether this subpart or 40 CFR parts 260 through 272 contain the more stringent control requirements (e.g., design, operation, and inspection requirements for waste management units; numerical treatment standards; etc.) and the more stringent testing, monitoring, recordkeeping, and reporting requirements. Compliance with provisions of 40 CFR parts 260 through 272 that are determined to be more stringent than the requirements of this subpart constitute compliance with this subpart. For example, provisions of 40 CFR parts 260 through 272 for treatment units that meet the conditions specified in § 63.138(h) constitute compliance with this subpart. You must identify in the notification of compliance status report required by § 63.2520(d) the information and procedures that you used to make any stringency determinations.

(h) *Compliance with 40 CFR part 60, subpart DDD, III, NNN, or RRR.* After the compliance dates specified in § 63.2445, if you have an MCPU that contains equipment subject to the provisions of this subpart that are also subject to the provisions of 40 CFR part 60, subpart DDD, III, NNN, or RRR, you may elect to apply this subpart to all such equipment in the MCPU. If an MCPU subject to the provisions of this subpart has equipment to which this subpart does not apply but which is subject to a standard in 40 CFR part 60, subpart DDD, III, NNN, or RRR, you may elect to comply with the requirements for Group 1 process vents in this subpart for such equipment. If you elect any of these methods of compliance, you must consider all total organic compounds, minus methane and ethane, in such equipment for purposes of compliance with this subpart, as if they were organic HAP. Compliance with the provisions of this subpart, in the manner described in this paragraph (h), will constitute compliance with 40

CFR part 60, subpart DDD, III, NNN, or RRR, as applicable.

(i) *Compliance with 40 CFR part 61, subpart BB.* (1) After the compliance dates specified in § 63.2445, a Group 1 transfer rack, as defined in § 63.2550, that is also subject to the provisions of 40 CFR part 61, subpart BB, you are required to comply only with the provisions of this subpart.

(2) After the compliance dates specified in § 63.2445, a Group 2 transfer rack, as defined in § 63.2550, that is also subject to the provisions of 40 CFR part 61, subpart BB, is required to comply with the provisions of either paragraph (i)(2)(i) or (ii) of this section.

(i) If the transfer rack is subject to the control requirements specified in § 61.302 of 40 CFR part 61, subpart BB, then you may elect to comply with either the requirements of 40 CFR part 61, subpart BB, or the requirements for Group 1 transfer racks under this subpart FFFF.

(ii) If the transfer rack is subject only to reporting and recordkeeping requirements under 40 CFR part 61, subpart BB, then you are required to comply only with the reporting and recordkeeping requirements specified in this subpart for Group 2 transfer racks, and you are exempt from the reporting and recordkeeping requirements in 40 CFR part 61, subpart BB.

(j) *Compliance with 40 CFR part 61, subpart FF.* After the compliance date specified in § 63.2445, for a Group 1 or Group 2 wastewater stream that is also subject to the provisions of 40 CFR 61.342(c) through (h), and is not exempt under 40 CFR 61.342(c)(2) or (3), you may elect to comply only with the requirements for Group 1 wastewater streams in this subpart FFFF. If a Group 2 wastewater stream is exempted from 40 CFR 61.342(c)(1) under 40 CFR 61.342(c)(2) or (3), then you are required to comply only with the reporting and recordkeeping requirements specified in this subpart for Group 2 wastewater streams, and you are exempt from the requirements in 40 CFR part 61, subpart FF.

(k) *Compliance with 40 CFR part 60, subpart VV, and 40 CFR part 61, subpart V.* After the compliance date specified in § 63.2445, if you have an affected

source with equipment that is also subject to the requirements of 40 CFR part 60, subpart VV, or 40 CFR part 61, subpart V, you may elect to apply this subpart to all such equipment. Alternatively, if you have an affected source with no continuous process vents and equipment that is also subject to the requirements of 40 CFR part 60, subpart VV, or 40 CFR part 61, subpart V, you may elect to comply with 40 CFR part 60, subpart VV or 40 CFR part 61, subpart V, as applicable, for all such equipment.

(1) *Applicability of process units included in a process unit group.* You may elect to develop and comply with the requirements for PUG in accordance with paragraphs (1)(1) through (3) of this section.

(1) *Procedures to create process unit groups.* Develop and document changes in a PUG in accordance with the procedures specified in paragraphs (1)(1)(i) through (v) of this section.

(i) Initially, identify an MCPU that is created from nondedicated equipment that will operate on or after November 10, 2003 and identify all processing equipment that is part of this MCPU, based on descriptions in operating scenarios.

(ii) Add to the group any other nondedicated MCPU and other nondedicated process units expected to be operated in the 5 years after the date specified in paragraph (1)(1)(i) of this section, provided they satisfy the criteria specified in paragraphs (1)(1)(ii)(A) through (C) of this section. Also identify all of the processing equipment used for each process unit based on information from operating scenarios and other applicable documentation.

(A) Each process unit that is added to a group must have some processing equipment that is also part of one or more process units in the group.

(B) No process unit may be part of more than one PUG.

(C) The processing equipment used to satisfy the requirement of paragraph (1)(1)(ii)(A) of this section may not be a storage tank or control device.

(iii) The initial PUG consists of all of the processing equipment for the process units identified in paragraphs (1)(1)(i) and (ii) of this section. As an alternative to the procedures specified

in paragraphs (1)(1)(i) and (ii) of this section, you may use a PUG that was developed in accordance with § 63.1360(h) as your initial PUG.

(iv) Add process units developed in the future in accordance with the conditions specified in paragraphs (1)(1)(ii)(A) and (B) of this section.

(v) Maintain records that describe the process units in the initial PUG, the procedure used to create the PUG, and subsequent changes to each PUG as specified in § 63.2525(i). Submit the records in reports as specified in § 63.2520(d)(2)(ix) and (e)(8).

(2) *Determine primary product.* You must determine the primary product of each PUG created in paragraph (1)(1) of this section according to the procedures specified in paragraphs (1)(2)(i) through (iv) of this section.

(i) The primary product is the type of product (e.g., organic chemicals subject to § 63.2435(b)(1), pharmaceutical products subject to § 63.1250, or pesticide active ingredients subject to § 63.1360) expected to be produced for the greatest operating time in the 5-year period specified in paragraph (1)(1)(ii) of this section.

(ii) If the PUG produces multiple types of products equally based on operating time, then the primary product is the type of product with the greatest production on a mass basis over the 5-year period specified in paragraph (1)(1)(ii) of this section.

(iii) At a minimum, you must re-determine the primary product of the PUG following the procedure specified in paragraphs (1)(2)(i) and (ii) of this section every 5 years.

(iv) You must record the calculation of the initial primary product determination as specified in § 63.2525(i)(3) and report the results in the notification of compliance status report as specified in § 63.2520(d)(8)(ix). You must record the calculation of each redetermination of the primary product as specified in § 63.2525(i)(5) and report the calculation in a compliance report submitted no later than the report covering the period for the end of the 5th year after cessation of production of the previous primary product, as specified in § 63.2520(e)(8).

(3) *Compliance requirements.* (i) If the primary product of the PUG is determined according to paragraph (1)(2) of this section to be material described in § 63.2435(b)(1), then you must comply with this subpart for each MCPU in the PUG. You may also elect to comply with this subpart for all other process units in the PUG, which constitutes compliance with other part 63 rules.

(ii) If the primary product of the PUG is determined according to paragraph (1)(2) of this section to be material not described in § 63.2435(b)(1), then you must comply with paragraph (1)(3)(ii)(A), (B), or (C) of this section, as applicable.

(A) If the primary product is subject to subpart GGG of this part 63, then comply with the requirements of subpart GGG for each MCPU in the PUG.

(B) If the primary product is subject to subpart MMM of this part 63, then comply with the requirements of subpart MMM for each MCPU in the PUG.

(C) If the primary product is subject to any subpart in this part 63 other than subpart GGG or subpart MMM, then comply with the requirements of this subpart for each MCPU in the PUG.

(iii) The requirements for new and reconstructed sources in the alternative subpart apply to all MCPU in the PUG if and only if the affected source under the alternative subpart meets the requirements for construction or reconstruction.

§ 63.2540 What parts of the General Provisions apply to me?

Table 12 to this subpart shows which parts of the General Provisions in §§ 63.1 through 63.15 apply to you.

§ 63.2545 Who implements and enforces this subpart?

(a) This subpart can be implemented and enforced by us, the U.S. Environmental Protection Agency (U.S. EPA), or a delegated authority such as your State, local, or tribal agency. If the U.S. EPA Administrator has delegated authority to your State, local, or tribal agency, then that agency also has the authority to implement and enforce this subpart. You should contact your U.S. EPA Regional Office to find out if

this subpart is delegated to your State, local, or tribal agency.

(b) In delegating implementation and enforcement authority of this subpart to a State, local, or tribal agency under 40 CFR part 63, subpart E, the authorities contained in paragraphs (b)(1) through (4) of this section are retained by the Administrator of U.S. EPA and are not delegated to the State, local, or tribal agency.

(1) Approval of alternatives to the non-opacity emission limits and work practice standards in § 63.2450(a) under § 63.6(g).

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

(3) Approval of major alternatives to monitoring under § 63.8(f) and as defined in § 63.90.

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

§ 63.2550 What definitions apply to this subpart?

(a) For an affected source complying with the requirements in subpart SS of this part 63, the terms used in this subpart and in subpart SS of this part 63 have the meaning given them in § 63.981, except as specified in §§ 63.2450(k)(2) and (m), 63.2470(c)(2), 63.2475(b), and paragraph (i) of this section.

(b) For an affected source complying with the requirements in subpart TT of this part 63, the terms used in this subpart and in subpart TT of this part 63 have the meaning given them in § 63.1001.

(c) For an affected source complying with the requirements in subpart UU of this part 63, the terms used in this subpart and in subpart UU of this part 63 have the meaning given them in § 63.1020.

(d) For an affected source complying with the requirements in subpart WW of this part 63, the terms used in this subpart and subpart WW of this part 63 have the meaning given them in § 63.1061, except as specified in §§ 63.2450(m), 63.2470(c)(2), and paragraph (i) of this section.

(e) For an affected source complying with the requirements in §§ 63.132 through 63.149, the terms used in this

subpart and §§ 63.132 through 63.149 have the meaning given them in §§ 63.101 and 63.111, except as specified in § 63.2450(m) and paragraph (i) of this section.

(f) For an affected source complying with the requirements in §§ 63.104 and 63.105, the terms used in this subpart and in §§ 63.104 and 63.105 of this subpart have the meaning given them in § 63.101, except as specified in §§ 63.2450(m), 63.2490(b), and paragraph (i) of this section.

(g) For an affected source complying with requirements in §§ 63.1253, 63.1257, and 63.1258, the terms used in this subpart and in §§ 63.1253, 63.1257, and 63.1258 have the meaning given them in § 63.1251, except as specified in § 63.2450(m) and paragraph (i) of this section.

(h) For an affected source complying with the requirements in 40 CFR part 65, subpart F, the terms used in this subpart and in 40 CFR part 65, subpart F, have the meaning given them in 40 CFR 65.2.

(i) All other terms used in this subpart are defined in the Clean Air Act (CAA), in 40 CFR 63.2, and in this paragraph (i). If a term is defined in § 63.2, § 63.101, § 63.111, § 63.981, § 63.1001, § 63.1020, § 63.1061, § 63.1251, or § 65.2 and in this paragraph (i), the definition in this paragraph (i) applies for the purposes of this subpart.

Ancillary activities means boilers and incinerators (not used to comply with the emission limits in Tables 1 through 7 to this subpart), chillers and refrigeration systems, and other equipment and activities that are not directly involved (*i.e.*, they operate within a closed system and materials are not combined with process fluids) in the processing of raw materials or the manufacturing of a product or isolated intermediate.

Batch operation means a noncontinuous operation involving intermittent or discontinuous feed into equipment, and, in general, involves the emptying of the equipment after the operation ceases and prior to beginning a new operation. Addition of raw material and withdrawal of product do not occur simultaneously in a batch operation.

Batch process vent means a vent from a unit operation or vents from multiple unit operations within a process that

are manifolded together into a common header, through which a HAP-containing gas stream is, or has the potential to be, released to the atmosphere. Examples of batch process vents include, but are not limited to, vents on condensers used for product recovery, reactors, filters, centrifuges, and process tanks. The following are not batch process vents for the purposes of this subpart:

- (1) Continuous process vents;
- (2) Bottoms receivers;
- (3) Surge control vessels;
- (4) Gaseous streams routed to a fuel gas system(s);
- (5) Vents on storage tanks, wastewater emission sources, or pieces of equipment subject to the emission limits and work practice standards in Tables 4, 6, and 7 to this subpart;
- (6) Drums, pails, and totes;
- (7) Flexible elephant trunk systems that draw ambient air (*i.e.*, the system is not ducted, piped, or otherwise connected to the unit operations) away from operators when vessels are opened; and
- (8) Emission streams from emission episodes that are undiluted and uncontrolled containing less than 50 ppmv HAP or less than 200 lb/yr. The HAP concentration or mass emission rate may be determined using any of the following: process knowledge that no HAP are present in the emission stream; an engineering assessment as discussed in § 63.1257(d)(2)(ii); equations specified in § 63.1257(d)(2)(i), as applicable; test data using Methods 18 of 40 CFR part 60, appendix A; or any other test method that has been validated according to the procedures in Method 301 of appendix A of this part 63.

Bottoms receiver means a tank that collects bottoms from continuous distillation before the stream is sent for storage or for further downstream processing.

Construction means the onsite fabrication, erection, or installation of an affected source or MCPU. Addition of new equipment to an MCPU subject to existing source standards does not constitute construction, but it may constitute reconstruction of the affected source or MCPU if it satisfies the definition of reconstruction in § 63.2.

Consumption means the quantity of all HAP raw materials entering a process in excess of the theoretical amount used as reactant, assuming 100 percent stoichiometric conversion. The raw materials include reactants, solvents, and any other additives. If a HAP is generated in the process as well as added as a raw material, consumption includes the quantity generated in the process.

Continuous process vent means the point of discharge to the atmosphere (or the point of entry into a control device, if any) of a gas stream if the gas stream has the characteristics specified in § 63.107(b) through (h), or meets the criteria specified in § 63.107(i), except:

(1) The reference in § 63.107(e) to a chemical manufacturing process unit that meets the criteria of § 63.100(b) means an MCPU that meets the criteria of § 63.2435(b);

(2) The reference in § 63.107(h)(4) to § 63.113 means Table 1 to this subpart;

(3) The references in § 63.107(h)(7) to §§ 63.119 and 63.126 mean Tables 4 and 5 to this subpart; and

(4) For the purposes of § 63.2455, all references to the characteristics of a process vent (e.g., flowrate, total HAP concentration, or TRE index value) mean the characteristics of the gas stream.

Dedicated MCPU means an MCPU that consists of equipment that is used exclusively for one process, except that storage tanks assigned to the process according to the procedures in § 63.2435(d) also may be shared by other processes.

Deviation means any instance in which an affected source subject to this subpart, or an owner or operator of such a source:

(1) Fails to meet any requirement or obligation established by this subpart including, but not limited to, any emission limit, operating limit, or work practice standard; or

(2) Fails to meet any term or condition that is adopted to implement an applicable requirement in this subpart and that is included in the operating permit for any affected source required to obtain such a permit; or

(3) Fails to meet any emission limit, operating limit, or work practice

standard in this subpart during start-up, shutdown, or malfunction, regardless of whether or not such failure is permitted by this subpart.

Energetics means propellants, explosives, and pyrotechnics and include materials listed at 49 CFR 172.101 as Hazard Class I Hazardous Materials, Divisions 1.1 through 1.6.

Equipment means each pump, compressor, agitator, pressure relief device, sampling connection system, open-ended valve or line, valve, connector, and instrumentation system in organic HAP service; and any control devices or systems used to comply with Table 6 to this subpart.

Excess emissions means emissions greater than those allowed by the emission limit.

Family of materials means a grouping of materials with the same basic composition or the same basic end use or functionality produced using the same basic feedstocks with essentially identical HAP emission profiles (primary constituent and relative magnitude on a pound per product basis) and manufacturing equipment configuration. Examples of families of materials include multiple grades of the same product or different variations of a product (e.g., blue, black, and red resins).

Group 1 batch process vent means each of the batch process vents in a process for which the collective uncontrolled organic HAP emissions from all of the batch process vents are greater than or equal to 10,000 lb/yr at an existing source or greater than or equal to 3,000 lb/yr at a new source.

Group 2 batch process vent means each batch process vent that does not meet the definition of Group 1 batch process vent.

Group 1 continuous process vent means a continuous process vent with a total resource effectiveness index value, calculated according to § 63.2455(b), that is less than 1.9 at an existing source and less than 5.0 at a new source.

Group 2 continuous process vent means a continuous process vent that does not meet the definition of a Group 1 continuous process vent.

Group 1 storage tank means a storage tank with a capacity greater than or equal to 10,000 gal storing material

that has a maximum true vapor pressure of total HAP greater than or equal to 6.9 kilopascals at an existing source or greater than or equal to 0.69 kilopascals at a new source.

Group 2 storage tank means a storage tank that does not meet the definition of a Group 1 storage tank.

Group 1 transfer rack means a transfer rack that loads more than 0.65 million liters/year of liquids that contain organic HAP with a rack-weighted average partial pressure, as defined in §63.111, greater than or equal to 1.5 pound per square inch absolute.

Group 2 transfer rack means a transfer rack that does not meet the definition of a Group 1 transfer rack.

Group 1 wastewater stream means a wastewater stream consisting of process wastewater at an existing or new source that meets the criteria for Group 1 status in §63.2485(c) for compounds in Tables 8 and 9 to this subpart and/or a wastewater stream consisting of process wastewater at a new source that meets the criteria for Group 1 status in §63.132(d) for compounds in Table 8 to subpart G of this part 63.

Group 2 wastewater stream means any process wastewater stream that does not meet the definition of a Group 1 wastewater stream.

Halogenated vent stream means a vent stream determined to have a mass emission rate of halogen atoms contained in organic compounds of 0.45 kilograms per hour or greater determined by the procedures presented in §63.115(d)(2)(v).

Hydrogen halide and halogen HAP means hydrogen chloride, hydrogen fluoride, and chlorine.

In organic HAP service means that a piece of equipment either contains or contacts a fluid (liquid or gas) that is at least 5 percent by weight of total organic HAP as determined according to the provisions of §63.180(d). The provisions of §63.180(d) also specify how to determine that a piece of equipment is not in organic HAP service.

Isolated intermediate means a product of a process that is stored before subsequent processing. An isolated intermediate is usually a product of a chemical synthesis, fermentation, or biological extraction process. Storage of an isolated intermediate marks the end

of a process. Storage occurs at any time the intermediate is placed in equipment used solely for storage.

Large control device means a control device that controls total HAP emissions of greater than or equal to 10 tpy, before control.

Maintenance wastewater means wastewater generated by the draining of process fluid from components in the MCPU into an individual drain system in preparation for or during maintenance activities. Maintenance wastewater can be generated during planned and unplanned shutdowns and during periods not associated with a shutdown. Examples of activities that can generate maintenance wastewater include descaling of heat exchanger tubing bundles, cleaning of distillation column traps, draining of pumps into an individual drain system, and draining of portions of the MCPU for repair. Wastewater from routine cleaning operations occurring as part of batch operations is not considered maintenance wastewater.

Maximum true vapor pressure has the meaning given in §63.111, except that it applies to all HAP rather than only organic HAP.

Miscellaneous organic chemical manufacturing process means all equipment which collectively function to produce a product or isolated intermediate that are materials described in §63.2435(b). For the purposes of this subpart, process includes any, all or a combination of reaction, recovery, separation, purification, or other activity, operation, manufacture, or treatment which are used to produce a product or isolated intermediate. A process is also defined by the following:

- (1) Routine cleaning operations conducted as part of batch operations are considered part of the process;
- (2) Each nondedicated solvent recovery operation is considered a single process;
- (3) Each nondedicated formulation operation is considered a single process that is used to formulate numerous materials and/or products;
- (4) Quality assurance/quality control laboratories are not considered part of any process; and

(5) Ancillary activities are not considered a process or part of any process.

Nondedicated solvent recovery operation means a distillation unit or other purification equipment that receives used solvent from more than one MCPU.

Nonstandard batch means a batch process that is operated outside of the range of operating conditions that are documented in an existing operating scenario but is still a reasonably anticipated event. For example, a nonstandard batch occurs when additional processing or processing at different operating conditions must be conducted to produce a product that is normally produced under the conditions described by the standard batch. A nonstandard batch may be necessary as a result of a malfunction, but it is not itself a malfunction.

On-site or on site means, with respect to records required to be maintained by this subpart or required by another subpart referenced by this subpart, that records are stored at a location within a major source which encompasses the affected source. On-site includes, but is not limited to, storage at the affected source or MCPU to which the records pertain, or storage in central files elsewhere at the major source.

Operating scenario means, for the purposes of reporting and recordkeeping, any specific operation of an MCPU as described by records specified in § 63.2525(b).

Organic group means structures that contain primarily carbon, hydrogen, and oxygen atoms.

Organic peroxides means organic compounds containing the bivalent -o-o- structure which may be considered to be a structural derivative of hydrogen peroxide where one or both of the hydrogen atoms has been replaced by an organic radical.

Predominant HAP means as used in calibrating an analyzer, the single organic HAP that constitutes the largest percentage of the total organic HAP in the analyzed gas stream, by volume.

Process tank means a tank or vessel that is used within a process to collect material discharged from a feedstock storage tank or equipment within the process before the material is trans-

ferred to other equipment within the process or a product storage tank. A process tank has emissions that are related to the characteristics of the batch cycle, and it does not accumulate product over multiple batches. Surge control vessels and bottoms receivers are not process tanks.

Production-indexed HAP consumption factor (HAP factor) means the result of dividing the annual consumption of total HAP by the annual production rate, per process.

Production-indexed VOC consumption factor (VOC factor) means the result of dividing the annual consumption of total VOC by the annual production rate, per process.

Quaternary ammonium compounds means a type of organic nitrogen compound in which the molecular structure includes a central nitrogen atom joined to four organic groups as well as an acid radical of some sort.

Recovery device means an individual unit of equipment used for the purpose of recovering chemicals from process vent streams for reuse in a process at the affected source and from wastewater streams for fuel value (*i.e.*, net positive heating value), use, reuse, or for sale for fuel value, use or reuse. Examples of equipment that may be recovery devices include absorbers, carbon adsorbers, condensers, oil-water separators or organic-water separators, or organic removal devices such as decanters, strippers, or thin-film evaporation units. To be a recovery device for a wastewater stream, a decanter and any other equipment based on the operating principle of gravity separation must receive only multi-phase liquid streams.

Responsible official means responsible official as defined in 40 CFR 70.2.

Safety device means a closure device such as a pressure relief valve, frangible disc, fusible plug, or any other type of device which functions exclusively to prevent physical damage or permanent deformation to a unit or its air emission control equipment by venting gases or vapors directly to the atmosphere during unsafe conditions resulting from an unplanned, accidental, or emergency event. For the purposes of this subpart, a safety device is not used for routine venting of

gases or vapors from the vapor headspace underneath a cover such as during filling of the unit or to adjust the pressure in response to normal daily diurnal ambient temperature fluctuations. A safety device is designed to remain in a closed position during normal operations and open only when the internal pressure, or another relevant parameter, exceeds the device threshold setting applicable to the air emission control equipment as determined by the owner or operator based on manufacturer recommendations, applicable regulations, fire protection and prevention codes and practices, or other requirements for the safe handling of flammable, combustible, explosive, reactive, or hazardous materials.

Shutdown means the cessation of operation of a continuous operation for any purpose. Shutdown also means the cessation of a batch operation, or any related individual piece of equipment required or used to comply with this subpart, if the steps taken to cease operation differ from those described in a standard batch or nonstandard batch. Shutdown also applies to emptying and degassing storage vessels. Shutdown does not apply to cessation of batch operations at the end of a campaign or between batches within a campaign when the steps taken are routine operations.

Small control device means a control device that controls total HAP emissions of less than 10 tpy, before control.

Standard batch means a batch process operated within a range of operating conditions that are documented in an operating scenario. Emissions from a standard batch are based on the operating conditions that result in highest emissions. The standard batch defines the uncontrolled and controlled emissions for each emission episode defined under the operating scenario.

Startup means the setting in operation of a continuous operation for any purpose; the first time a new or reconstructed batch operation begins production; for new equipment added, including equipment required or used to comply with this subpart, the first time the equipment is put into operation; or for the introduction of a new product/process, the first time the

product or process is run in equipment. For batch operations, startup applies to the first time the equipment is put into operation at the start of a campaign to produce a product that has been produced in the past if the steps taken to begin production differ from those specified in a standard batch or nonstandard batch. Startup does not apply when the equipment is put into operation as part of a batch within a campaign when the steps taken are routine operations.

Storage tank means a tank or other vessel that is used to store liquids that contain organic HAP and/or hydrogen halide and halogen HAP and that has been assigned to an MCPU according to the procedures in § 63.2435(d). The following are not considered storage tanks for the purposes of this subpart:

- (1) Vessels permanently attached to motor vehicles such as trucks, railcars, barges, or ships;
- (2) Pressure vessels designed to operate in excess of 204.9 kilopascals and without emissions to the atmosphere;
- (3) Vessels storing organic liquids that contain HAP only as impurities;
- (4) Wastewater storage tanks;
- (5) Bottoms receivers;
- (6) Surge control vessels; and
- (7) Process tanks.

Supplemental gases are any gaseous streams that are not defined as process vents, or closed-vent systems from wastewater management and treatment units, storage tanks, or equipment components and that contain less than 50 ppmv TOC, as determined through process knowledge, that are introduced into vent streams or manifolds. Air required to operate combustion device burner(s) is not considered supplemental gas.

Surge control vessel means feed drums, recycle drums, and intermediate vessels immediately preceding continuous reactors, air-oxidation reactors, or distillation operations. Surge control vessels are used within an MCPU when in-process storage, mixing, or management of flowrates or volumes is needed to introduce material into continuous reactors, air-oxidation reactors, or distillation operations.

Total organic compounds or (TOC) means the total gaseous organic compounds (minus methane and ethane) in a vent stream.

Transfer rack means the collection of loading arms and loading hoses, at a single loading rack, that are assigned to an MCPU according to the procedures specified in §63.2435(d) and are used to fill tank trucks and/or rail cars with organic liquids that contain one or more of the organic HAP listed in section 112(b) of the CAA of this subpart. Transfer rack includes the associated pumps, meters, shutoff valves, relief valves, and other piping and valves.

Unit operation means those processing steps that occur within distinct equipment that are used, among other things, to prepare reactants, facilitate reactions, separate and purify products, and recycle materials. Equipment used for these purposes includes, but is not limited to, reactors, distillation columns, extraction columns, absorbers, decanters, dryers, condensers, and filtration equipment.

Waste management unit means the equipment, structure(s), and/or device(s) used to convey, store, treat, or dispose of wastewater streams or residuals. Examples of waste management units include wastewater tanks, air flotation units, surface impoundments, containers, oil-water or organic-water separators, individual drain systems, biological wastewater treatment units, waste incinerators, and organic removal devices such as steam and air stripper units, and thin film evaporation units. If such equip-

ment is being operated as a recovery device, then it is part of a miscellaneous organic chemical manufacturing process and is not a waste management unit.

Wastewater means water that is discarded from an MCPU through a single POD and that contains either: an annual average concentration of compounds in Table 8 or 9 to this subpart of at least 5 ppmw and has an annual average flowrate of 0.02 liters per minute or greater; or an annual average concentration of compounds in Table 8 or 9 to this subpart of at least 10,000 ppmw at any flowrate. The following are not considered wastewater for the purposes of this subpart:

- (1) Stormwater from segregated sewers;
- (2) Water from fire-fighting and deluge systems, including testing of such systems;
- (3) Spills;
- (4) Water from safety showers;
- (5) Samples of a size not greater than reasonably necessary for the method of analysis that is used;
- (6) Equipment leaks;
- (7) Wastewater drips from procedures such as disconnecting hoses after cleaning lines; and
- (8) Noncontact cooling water.

Wastewater stream means a stream that contains only wastewater as defined in this paragraph (h).

Work practice standard means any design, equipment, work practice, or operational standard, or combination thereof, that is promulgated pursuant to section 112(h) of the CAA.

TABLE 1 TO SUBPART FFFF OF PART 63—EMISSION LIMITS AND WORK PRACTICE STANDARDS FOR CONTINUOUS PROCESS VENTS

As required in §63.2455, you must meet each emission limit and work practice standard in the following table that applies to your continuous process vents:

For each . . .	For which . . .	Then you must . . .
1. Group 1 continuous process vent.	a. Not applicable	i. Reduce emissions of total organic HAP by ≥98 percent by weight or to an outlet process concentration ≤20 ppmw as organic HAP or TOC by venting emissions through a closed-vent system to any combination of control devices (except a flare); or ii. Reduce emissions of total organic HAP by venting emissions through a closed vent system to a flare; or iii. Use a recovery device to maintain the TRE above 1.9 for an existing source or above 5.0 for a new source.

For each . . .	For which . . .	Then you must . . .
2. Halogenated Group 1 continuous process vent stream.	a. You use a combustion control device to control organic HAP emissions.	i. Use a halogen reduction device after the combustion device to reduce emissions of hydrogen halide and halogen HAP by ≥ 99 percent by weight, or to ≤ 0.45 kg/hr, or to ≤ 20 ppmv; or ii. Use a halogen reduction device before the combustion device to reduce the halogen atom mass emission rate to ≤ 0.45 kg/hr or to a concentration ≤ 20 ppmv.
3. Group 2 continuous process vent at an existing source.	You use a recovery device to maintain the TRE level >1.9 but ≤ 5.0 .	Comply with the requirements in § 63.993 and the requirements referenced therein.
4. Group 2 continuous process vent at a new source.	You use a recovery device to maintain the TRE level >5.0 but ≤ 8.0 .	Comply with the requirements in § 63.993 and the requirements referenced therein.

TABLE 2 TO SUBPART FFFF OF PART 63—EMISSION LIMITS AND WORK PRACTICE STANDARDS FOR BATCH PROCESS VENTS

As required in § 63.2460, you must meet each emission limit and work practice standard in the following table that applies to your batch process vents:

For each . . .	Then you must . . .	And you must . . .
1. Process with Group 1 batch process vents.	a. Reduce collective uncontrolled organic HAP emissions from the sum of all batch process vents within the process by ≥ 98 percent by weight by venting emissions from a sufficient number of the vents through a closed-vent system to any combination of control devices (except a flare); or	Not applicable.
	b. Reduce collective uncontrolled organic HAP emissions from the sum of all batch process vents within the process by ≥ 95 percent by weight by venting emissions from a sufficient number of the vents through a closed-vent system to any combination of recovery devices; or	Not applicable.
	c. For all batch process vents within the process that are not controlled by venting through a closed-vent system to a flare or to any other combination of control devices that reduce total organic HAP to an outlet concentration ≤ 20 ppmv as TOC or total organic HAP, reduce organic HAP emissions by venting emissions from a sufficient number of the vents through a closed-vent system to any combination of recovery devices that reduce collective emissions by ≥ 95 percent by weight and/or any combination of control devices that reduce collective emissions by ≥ 98 percent by weight.	Not applicable.
2. Halogenated Group 1 batch process vent for which you use a combustion device to control organic HAP emissions.	a. Use a halogen reduction device after the combustion control device; or	i. Reduce overall emissions of hydrogen halide and halogen HAP by ≥ 99 percent; or ii. Reduce overall emissions of hydrogen halide and halogen HAP to ≤ 0.45 kg/hr; or iii. Reduce overall emissions of hydrogen halide and halogen HAP to a concentration ≤ 20 ppmv.
	b. Use a halogen reduction device before the combustion control device.	Reduce the halogen atom mass emission rate to ≤ 0.45 kg/hr or to a concentration ≤ 20 ppmv.

TABLE 3 TO SUBPART FFFF OF PART 63—EMISSION LIMITS FOR HYDROGEN HALIDE AND HALOGEN HAP EMISSIONS OR PM HAP EMISSIONS FROM PROCESS VENTS

As required in §63.2465, you must meet each emission limit in the following table that applies to your process vents that contain hydrogen halide and halogen HAP emissions or PM HAP emissions:

For each . . .	You must . . .
1. Process with uncontrolled hydrogen halide and halogen HAP emissions from process vents $\geq 1,000$ lb/yr.	Reduce collective hydrogen halide and halogen HAP emissions by ≥ 99 percent by weight or to an outlet concentration < 20 ppmv by venting through a closed-vent system to any combination of control devices.
2. Process at a new source with uncontrolled PM HAP emissions from process vents ≥ 400 lb/yr.	Reduce overall PM HAP emissions by ≥ 97 percent by weight.

TABLE 4 TO SUBPART FFFF OF PART 63—EMISSION LIMITS FOR STORAGE TANKS

As required in §63.2470, you must meet each emission limit in the following table that applies to your storage tanks:

For each . . .	For which . . .	Then you must . . .
1. Group 1 storage tank ..	<p>a. The maximum true vapor pressure of total HAP at the storage temperature is ≥ 76.6 kilopascals.</p> <p>b. The maximum true vapor pressure of total HAP at the storage temperature is ≤ 76.6 kilopascals.</p>	<p>i. Reduce total HAP emissions by ≥ 95 percent by weight or to ≤ 20 ppmv of TOC or organic HAP and ≤ 20 ppmv of hydrogen halide and halogen HAP by venting emissions through a closed vent system to any combination of control devices (excluding a flare); or</p> <p>ii. Reduce total organic HAP emissions by venting emissions through a closed vent system to a flare; or</p> <p>iii. Reduce total HAP emissions by venting emissions to a fuel gas system or process.</p> <p>iv. Comply with the requirements of subpart WW of this part, except as specified in §63.2470; or</p> <p>v. Reduce total HAP emissions by ≥ 95 percent by weight or to < 20 ppmv of TOC or organic HAP and < 20 ppmv of hydrogen halide and halogen HAP by venting emissions through a closed vent system to any combination of control devices (excluding a flare); or</p> <p>vi. Reduce total organic HAP emissions by venting emissions through a closed vent system to a flare; or</p> <p>vii. Reduce total HAP emissions by venting emissions to a fuel gas system or process.</p>
2. Halogenated vent stream from a Group 1 storage tank.	You use a combustion control device to control organic HAP emissions.	Meet one of the emission limit options specified in Item 2.a.i or ii. in Table 1 to this subpart.

TABLE 5 TO SUBPART FFFF OF PART 63—EMISSION LIMITS AND WORK PRACTICE STANDARDS FOR TRANSFER RACKS

As required in §63.2475, you must meet each emission limit and work practice standard in the following table that applies to your transfer racks:

For each . . .	You must . . .
1. Group 1 transfer rack	<p>a. Reduce emissions of total organic HAP by ≥ 99 percent by weight or to an outlet concentration ≤ 20 ppmv as organic HAP or TOC by venting emissions through a closed-vent system to any combination of control devices (except a flare); or</p> <p>b. Reduce emissions of total organic HAP by venting emissions through a closed-vent system to a flare; or</p> <p>c. Reduce emissions of total organic HAP by venting emissions to a fuel gas system or process; or</p> <p>d. Use a vapor balancing system designed and operated to collect organic HAP vapors displaced from tank trucks and railcars during loading and route the collected HAP vapors to the storage tank from which the liquid being loaded originated or to another storage tank connected by a common header.</p>
2. Halogenated Group 1 transfer rack vent stream for which you use a combustion device to control organic HAP emissions.	<p>a. Use a halogen reduction device after the combustion device to reduce emissions of hydrogen halide and halogen HAP by ≥ 99 percent by weight, to ≤ 0.45 kg/hr, or to ≤ 20 ppmv; or</p> <p>b. Use a halogen reduction device before the combustion device to reduce the halogen atom mass emission rate to ≤ 0.45 kg/hr or to a concentration ≤ 20 ppmv.</p>

TABLE 6 TO SUBPART FFFF OF PART 63—REQUIREMENTS FOR EQUIPMENT LEAKS

As required in §63.2480, you must meet each requirement in the following table that applies to your equipment leaks:

For all . . .	And that is part of . . .	You must . . .
1. Equipment that is in organic HAP service at an existing source.	a. An MCPU with no continuous process vents.	i. Comply with the requirements of subpart TT of this part 63 and the requirements referenced therein; or ii. Comply with the requirements of subpart UU of this part 63 and the requirements referenced therein; or iii. Comply with the requirements of 40 CFR part 65, subpart F.
	b. An MCPU with at least one continuous process vent.	i. Comply with the requirements of subpart UU of this part 63 and the requirements referenced therein; or ii. Comply with the requirements of 40 CFR part 65, subpart F.
2. Equipment that is in organic HAP service at a new source.	a. Any MCPU	i. Comply with the requirements of subpart UU of this part 63 and the requirements referenced therein; or ii. Comply with the requirements of 40 CFR part 65, subpart F.

TABLE 7 TO SUBPART FFFF OF PART 63—REQUIREMENTS FOR WASTEWATER STREAMS AND LIQUID STREAMS IN OPEN SYSTEMS WITHIN AN MCPU

As required in §63.2485, you must meet each requirement in the following table that applies to your wastewater streams and liquid streams in open systems within an MCPU:

For each . . .	You must . . .
1. Process wastewater stream	Comply with the requirements in §§63.132 through 63.148 and the requirements referenced therein, except as specified in §63.2485.
2. Maintenance wastewater stream	Comply with the requirements in §63.105 and the requirements referenced therein, except as specified in §63.2485.
3. Liquid streams in an open system within an MCPU.	Comply with the requirements in §63.149 and the requirements referenced therein, except as specified in §63.2485.

TABLE 8 TO SUBPART FFFF OF PART 63—PARTIALLY SOLUBLE HAZARDOUS AIR POLLUTANTS

As specified in §63.2485, the partially soluble HAP in wastewater that are subject to management and treatment requirements in this subpart FFFF are listed in the following table:

Chemical name . . .	CAS No.
1. 1,1,1-Trichloroethane (methyl chloroform)	71556
2. 1,1,2,2-Tetrachloroethane	79345
3. 1,1,2-Trichloroethane	79005
4. 1,1-Dichloroethylene (vinylidene chloride)	75354
5. 1,2-Dibromoethane	106934
6. 1,2-Dichloroethane (ethylene dichloride)	107062
7. 1,2-Dichloropropane	78875
8. 1,3-Dichloropropene	542756
9. 2,4,5-Trichlorophenol	95954
10. 2-Butanone (MEK)	78933
11. 1,4-Dichlorobenzene	106467
12. 2-Nitropropane	79469
13. 4-Methyl-2-pentanone (MIBK)	108101
14. Acetaldehyde	75070
15. Acrolein	107028
16. Acrylonitrile	107131
17. Allyl chloride	107051
18. Benzene	71432
19. Benzyl chloride	100447
20. Biphenyl	92524
21. Bromoform (tribromomethane)	75252
22. Bromomethane	74839
23. Butadiene	106990
24. Carbon disulfide	75150
25. Chlorobenzene	108907
26. Chloroethane (ethyl chloride)	75003
27. Chloroform	67863
28. Chloromethane	74873
29. Chloroprene	126998
30. Cumene	98828
31. Dichloroethyl ether	111444

Chemical name . . .	CAS No.
32. Dinitrophenol	51285
33. Epichlorohydrin	106898
34. Ethyl acrylate	140885
35. Ethylbenzene	100414
36. Ethylene oxide	75218
37. Ethyldene dichloride	75343
38. Hexachlorobenzene	118741
39. Hexachlorobutadiene	87683
40. Hexachloroethane	67721
41. Methyl methacrylate	80626
42. Methyl-t-butyl ether	1634044
43. Methylene chloride	75092
44. N-hexane	110543
45. N,N-dimethylaniline	121697
46. Naphthalene	91203
47. Phosgene	75445
48. Propionaldehyde	123386
49. Propylene oxide	75569
50. Styrene	100425
51. Tetrachloroethylene (perchloroethylene)	79345
52. Tetrachloromethane (carbon tetrachloride)	56235
53. Toluene	108883
54. Trichlorobenzene (1,2,4-)	120821
55. Trichloroethylene	79016
56. Trimethylpentane	540841
57. Vinyl acetate	108054
58. Vinyl chloride	75014
59. Xylene (m)	108383
60. Xylene (o)	95476
61. Xylene (p)	106423

TABLE 9 TO SUBPART FFFF OF PART 63—SOLUBLE HAZARDOUS AIR POLLUTANTS

As specified in §63.2485, the soluble HAP in wastewater that are subject to management and treatment requirements of this subpart FFFF are listed in the following table:

Chemical name . . .	CAS No.
1. Acetonitrile	75058
2. Acetophenone	98862
3. Diethyl sulfate	64675
4. Dimethyl hydrazine (1,1)	58147
5. Dimethyl sulfate	77781
6. Dinitrotoluene (2,4)	121142
7. Dioxane (1,4)	123911
8. Ethylene glycol dimethyl ether	
9. Ethylene glycol monobutyl ether acetate	
10. Ethylene glycol monomethyl ether acetate	
11. Isophorone	78591
12. Methanol	67561
13. Nitrobenzene	98953
14. Toluidine (o-)	95534
15. Triethylamine	121448

TABLE 10 TO SUBPART FFFF OF PART 63—WORK PRACTICE STANDARDS FOR HEAT EXCHANGE SYSTEMS

As required in §63.2490, you must meet each requirement in the following table that applies to your heat exchange systems:

For each . . .	You must . . .
Heat exchange system, as defined in §63.101	Comply with the requirements of §63.104 and the requirements referenced therein, except as specified in §63.2490.

TABLE 11 TO SUBPART FFFF OF PART 63—REQUIREMENTS FOR REPORTS

As required in §63.2520(a) and (b), you must submit each report that applies to you on the schedule shown in the following table:

You must submit a(n)	The report must contain . . .	You must submit the report . . .
1. Precompliance report	The information specified in §63.2520(c).	At least 6 months prior to the compliance date; or for new sources, with the application for approval of construction or reconstruction.
2. Notification of compliance status report.	The information specified in §63.2520(d).	No later than 150 days after the compliance date specified in §63.2445.
3. Compliance report	The information specified in §63.2520(e).	Semiannually according to the requirements in §63.2520(b).

TABLE 12 TO SUBPART FFFF OF PART 63—APPLICABILITY OF GENERAL PROVISIONS TO SUBPART FFFF

As specified in §63.2540, the parts of the General Provisions that apply to you are shown in the following table:

Citation	Subject	Explanation
§ 63.1	Applicability	Yes.
§ 63.2	Definitions	Yes.
§ 63.3	Units and Abbreviations	Yes.
§ 63.4	Prohibited Activities	Yes.
§ 63.5	Construction/Reconstruction	Yes.
§ 63.6(a)	Applicability	Yes.
§ 63.6(b)(1)–(4)	Compliance Dates for New and Reconstructed sources.	Yes.
§ 63.6(b)(5)	Notification	Yes.
§ 63.6(b)(6)	[Reserved].	
§ 63.6(b)(7)	Compliance Dates for New and Reconstructed Area Sources That Become Major.	Yes.
§ 63.6(c)(1)–(2)	Compliance Dates for Existing Sources	Yes.
§ 63.6(c)(3)–(4)	[Reserved].	
§ 63.6(c)(5)	Compliance Dates for Existing Area Sources That Become Major.	Yes.
§ 63.6(d)	[Reserved].	
§ 63.6(e)(1)–(2)	Operation & Maintenance	Yes.
§ 63.6(e)(3)(i), (ii), and (v) through (viii).	Startup, Shutdown, Malfunction Plan (SSMP)	Yes, except information regarding Group 2 emission points and equipment leaks is not required in the SSMP, as specified in §63.2525(j).
§ 63.6(e)(3)(iii) and (iv)	Recordkeeping and Reporting During SSM	No. § 63.998(d)(3) and 63.998(c)(1)(ii)(D) through (G) specify the recordkeeping requirement for SSM events, and §63.2520(e)(4) specifies reporting requirements.
§ 63.6(f)(1)	Compliance Except During SSM	Yes.
§ 63.6(f)(2)–(3)	Methods for Determining Compliance	Yes.
§ 63.6(g)(1)–(3)	Alternative Standard	Yes.
§ 63.6(h)	Opacity/Visible Emission (VE) Standards	Only for flares for which Method 22 observations are required as part of a flare compliance assessment.
§ 63.6(i)(1)–(14)	Compliance Extension	Yes.
§ 63.6(j)	Presidential Compliance Exemption	Yes.
§ 63.7(a)(1)–(2)	Performance Test Dates	Yes, except substitute 150 days for 180 days.
§ 63.7(a)(3)	Section 114 Authority	Yes, and this paragraph also applies to flare compliance assessments as specified under §63.997(b)(2).
§ 63.7(b)(1)	Notification of Performance Test	Yes.
§ 63.7(b)(2)	Notification of Rescheduling	Yes.
§ 63.7(c)	Quality Assurance/Test Plan	Yes, except the test plan must be submitted with the notification of the performance test if the control device controls batch process vents.
§ 63.7(d)	Testing Facilities	Yes.
§ 63.7(e)(1)	Conditions for Conducting Performance Tests	Yes, except that performance tests for batch process vents must be conducted under worst-case conditions as specified in §63.2460.
§ 63.7(e)(2)	Conditions for Conducting Performance Tests	Yes.
§ 63.7(e)(3)	Test Run Duration	Yes.
§ 63.7(f)	Alternative Test Method	Yes.
§ 63.7(g)	Performance Test Data Analysis	Yes.
§ 63.7(h)	Waiver of Tests	Yes.
§ 63.8(a)(1)	Applicability of Monitoring Requirements	Yes.
§ 63.8(a)(2)	Performance Specifications	Yes.
§ 63.8(a)(3)	[Reserved].	
§ 63.8(a)(4)	Monitoring with Flares	Yes.

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Citation	Subject	Explanation
§ 63.8(b)(1)	Monitoring	Yes.
§ 63.8(b)(2)-(3)	Multiple Effluents and Multiple Monitoring Systems.	Yes.
§ 63.8(c)(1)	Monitoring System Operation and Maintenance	Yes.
§ 63.8(c)(1)(i)	Routine and Predictable SSM	Yes.
§ 63.8(c)(1)(ii)	SSM not in SSMP	Yes.
§ 63.8(c)(1)(iii)	Compliance with Operation and Maintenance Requirements.	Yes.
§ 63.8(c)(2)-(3)	Monitoring System Installation	Yes.
§ 63.8(c)(4)	CMS Requirements	No. CMS requirements are specified in referenced subparts G and SS of this part 63.
§ 63.8(c)(4)(i)-(ii)		Only for the alternative standard, but § 63.8(c)(4)(i) does not apply because the alternative standard does not require continuous opacity monitoring systems (COMS).
§ 63.8(c)(5)	COMS Minimum Procedures	No. Subpart FFFF does not contain opacity or VE limits.
§ 63.8(c)(6)	CMS Requirements	Only for the alternative standard in § 63.2505.
§ 63.8(c)(7)-(8)	CMS Requirements	Only for the alternative standard in § 63.2505. Requirements for CPMS are specified in referenced subparts G and SS of this part 63.
§ 63.8(d)	CMS Quality Control	Only for the alternative standard in § 63.2505.
§ 63.8(e)	CMS Performance Evaluation	Only for the alternative standard in § 63.2505, but § 63.8(e)(5)(ii) does not apply because the alternative standard does not require COMS.
§ 63.8(f)(1)-(5)	Alternative Monitoring Method	Yes, except you may also request approval using the precompliance report.
§ 63.8(f)(6)	Alternative to Relative Accuracy Test	Only applicable when using CEMS to demonstrate compliance, including the alternative standard in § 63.2505.
§ 63.8(g)(1)-(4)	Data Reduction	Only when using CEMS, including for the alternative standard in § 63.2505, except that the requirements for COMS do not apply because subpart FFFF has no opacity or VE limits, and § 63.8(g)(2) does not apply because data reduction requirements for CEMS are specified in § 63.2450(j).
§ 63.8(g)(5)	Data Reduction	No. Requirements for CEMS are specified in § 63.2450(j). Requirements for CPMS are specified in referenced subparts G and SS of this part 63.
§ 63.9(a)	Notification Requirements	Yes.
§ 63.9(b)(1)-(5)	Initial Notifications	Yes.
§ 63.9(c)	Request for Compliance Extension	Yes.
§ 63.9(d)	Notification of Special Compliance Requirements for New Source.	Yes.
§ 63.9(e)	Notification of Performance Test	Yes.
§ 63.9(f)	Notification of VE/Opacity Test	No. Subpart FFFF does not contain opacity or VE limits.
§ 63.9(g)	Additional Notifications When Using CMS	Only for the alternative standard in § 63.2505.
§ 63.9(h)(1)-(6)	Notification of Compliance Status	Yes, except subpart FFFF has no opacity or VE limits, and § 63.9(h)(2) does not apply because § 63.2520(d) specifies the required contents and due date of the notification of compliance status report.
§ 63.9(i)	Adjustment of Submittal Deadlines	Yes.
§ 63.9(j)	Change in Previous Information	No, § 63.2520(e) specifies reporting requirements for process changes.
§ 63.10(a)	Recordkeeping/Reporting	Yes.
§ 63.10(b)(1)	Recordkeeping/Reporting	Yes.
§ 63.10(b)(2)(i)-(ii), (iv), (v).	Records related to SSM	No, §§ 63.998(d)(3) and 63.998(c)(1)(ii)(D) through (C) specify recordkeeping requirements for periods of SSM.
§ 63.10(b)(2)(iii)	Records related to maintenance of air pollution control equipment.	Yes.
§ 63.10(b)(2)(vi), (x), and (xi).	CMS Records	Only for CEMS; requirements for CPMS are specified in referenced subparts G and SS of this part 63.
§ 63.10(b)(2)(vii)-(ix)	Records	Yes.
§ 63.10(b)(2)(xii)	Records	Yes.
§ 63.10(b)(2)(xiii)	Records	Only for the alternative standard in § 63.2505.
§ 63.10(b)(2)(xiv)	Records	Yes.
§ 63.10(b)(3)	Records	Yes.

Citation	Subject	Explanation
§ 63.10(c)(1)-(6), (9)-(15)	Records	Only for the alternative standard in § 63.2505.
§ 63.10(c)(7)-(8)	Records	No. Recordkeeping requirements are specified in § 63.2525.
§ 63.10(d)(1)	General Reporting Requirements	Yes.
§ 63.10(d)(2)	Report of Performance Test Results	Yes.
§ 63.10(d)(3)	Reporting Opacity or VE Observations	No. Subpart FFFF does not contain opacity or VE limits.
§ 63.10(d)(4)	Progress Reports	Yes.
§ 63.10(d)(5)(i)	Periodic Startup, Shutdown, and Malfunction Reports	No. § 63.2520(e)(4) and (5) specify the SSM reporting requirements.
§ 63.10(d)(5)(ii)	Immediate SSM Reports	No.
§ 63.10(e)(1)-(2)	Additional CMS Reports	Only for the alternative standard, but § 63.10(e)(2)(ii) does not apply because the alternative standard does not require COMS.
§ 63.10(e)(3)	Reports	No. Reporting requirements are specified in § 63.2520.
§ 63.10(e)(3)(i)-(iii)	Reports	No. Reporting requirements are specified in § 63.2520.
§ 63.10(e)(3)(iv)-(v)	Excess Emissions Reports	No. Reporting requirements are specified in § 63.2520.
§ 63.10(e)(3)(iv)-(v)	Excess Emissions Reports	No. Reporting requirements are specified in § 63.2520.
§ 63.10(e)(3)(vi)-(viii)	Excess Emissions Report and Summary Report	No. Reporting requirements are specified in § 63.2520.
§ 63.10(e)(4)	Reporting COMS data	No. Subpart FFFF does not contain opacity or VE limits.
§ 63.10(f)	Waiver for Recordkeeping/Reporting	Yes.
§ 63.11	Flares	Yes.
§ 63.12	Delegation	Yes.
§ 63.13	Addresses	Yes.
§ 63.14	Incorporation by Reference	Yes.
§ 63.15	Availability of Information	Yes.

Subpart GGGG—National Emission Standards for Hazardous Air Pollutants: Solvent Extraction for Vegetable Oil Production

SOURCE: 66 FR 19011, Apr. 12, 2001, unless otherwise noted.

WHAT THIS SUBPART COVERS

§ 63.2830 What is the purpose of this subpart?

This subpart establishes national emission standards for hazardous air pollutants (NESHAP) for emissions during vegetable oil production. This subpart limits hazardous air pollutant (HAP) emissions from specified vegetable oil production processes. This subpart also establishes requirements to demonstrate initial and continuous compliance with the emission standards.

§ 63.2831 Where can I find definitions of key words used in this subpart?

You can find definitions of key words used in this subpart in § 63.2872.

§ 63.2832 Am I subject to this subpart?

(a) You are an affected source subject to this subpart if you meet all of the criteria listed in paragraphs (a)(1) and (2) of this section:

(1) You own or operate a vegetable oil production process that is a major source of HAP emissions or is collocated within a plant site with other sources that are individually or collectively a major source of HAP emissions.

(i) A *vegetable oil production process* is defined in § 63.2872. In general, it is the collection of continuous process equipment and activities that produce crude vegetable oil and meal products by removing oil from oilseeds listed in Table 1 to § 63.2840 through direct contact with an organic solvent, such as a hexane isomer blend.

(ii) A major source of HAP emissions is a plant site that emits or has the potential to emit any single HAP at a rate of 10 tons (9.07 megagrams) or more per year or any combination of HAP at a rate of 25 tons (22.68 megagrams) or more per year.

(2) Your vegetable oil production process processes any combination of

APPENDIX B



Citation	Subject	Applies to Subpart CCCCC?	Explanation
§ 63.8(g)(5)	Data Reduction	No	Subpart CCCCC specifies data that can't be used in computing averages for COMS.
§ 63.9	Notification Requirements	Yes	Additional notifications for CMS in § 63.9(g) apply only to COMS for battery stacks.
§ 63.10(a), (b)(1)-(b)(2)(xii), (b)(2)(xiv), (b)(3), (c)(1)-(6), (c)(9)-(15), (d), (e)(1)-(2), (e)(4), (f).	Recordkeeping and Reporting Requirements.	Yes.	Additional records for CMS in § 63.10(c)(1)-(6), (9)-(15), and reports in § 63.10(d)(1)-(2) apply only to COMS for battery stacks.
§ 63.10(b)(2) (xi)-(xii)	CMS Records for RATA Alternative	No	Subpart CCCCC doesn't require CEMS.
§ 63.10(c)(7)-(8)	Records of Excess Emissions and Parameter Monitoring Exceedances for CMS.	No	Subpart CCCCC specifies record requirements.
§ 63.10(e)(3)	Excess Emission Reports	No	Subpart CCCCC specifies reporting requirements.
§ 63.11	Control Device Requirements	No	Subpart CCCCC does not require flares.
§ 63.12	State Authority and Delegations.	Yes.	
§§ 63.13-63.15	Addresses, Incorporation by Reference, Availability of Information.	Yes.	

Subpart DDDDD—National Emission Standards for Hazardous Air Pollutants for Industrial, Commercial, and Institutional Boilers and Process Heaters

SOURCE: 69 FR 55253, Sept. 13, 2004, unless otherwise noted.

WHAT THIS SUBPART COVERS

§ 63.7480 What is the purpose of this subpart?

This subpart establishes national emission limits and work practice standards for hazardous air pollutants (HAP) emitted from industrial, commercial, and institutional boilers and process heaters. This subpart also establishes requirements to demonstrate initial and continuous compliance with the emission limits and work practice standards.

§ 63.7485 Am I subject to this subpart?

You are subject to this subpart if you own or operate an industrial, commercial, or institutional boiler or process heater as defined in § 63.7575 that is located at, or is part of, a major source of HAP as defined in § 63.2 or § 63.761 (40 CFR part 63, subpart HH, National Emission Standards for Hazardous Air Pollutants from Oil and Natural Gas Production Facilities), except as specified in § 63.7491.

§ 63.7490 What is the affected source of this subpart?

(a) This subpart applies to new, reconstructed, or existing affected sources as described in paragraphs (a)(1) and (2) of this section.

(1) The affected source of this subpart is the collection of all existing industrial, commercial, and institutional boilers and process heaters within a subcategory located at a major source as defined in § 63.7575.

(2) The affected source of this subpart is each new or reconstructed industrial, commercial, or institutional boiler or process heater located at a major source as defined in § 63.7575.

(b) A boiler or process heater is new if you commence construction of the boiler or process heater after January 13, 2003, and you meet the applicability criteria at the time you commence construction.

(c) A boiler or process heater is reconstructed if you meet the reconstruction criteria as defined in § 63.2, you commence reconstruction after January 13, 2003, and you meet the applicability criteria at the time you commence reconstruction.

(d) A boiler or process heater is existing if it is not new or reconstructed.

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§ 63.7491 Are any boilers or process heaters not subject to this subpart?

The types of boilers and process heaters listed in paragraphs (a) through (o) of this section are not subject to this subpart.

(a) A municipal waste combustor covered by 40 CFR part 60, subpart AAAAA, subpart BBBB, subpart Cb or subpart Eb.

(b) A hospital/medical/infectious waste incinerator covered by 40 CFR part 60, subpart Ce or subpart Ec.

(c) An electric utility steam generating unit that is a fossil fuel-fired combustion unit of more than 25 megawatts that serves a generator that produces electricity for sale. A fossil fuel-fired unit that cogenerates steam and electricity, and supplies more than one-third of its potential electric output capacity, and more than 25 megawatts electrical output to any utility power distribution system for sale is considered an electric utility steam generating unit.

(d) A boiler or process heater required to have a permit under section 3005 of the Solid Waste Disposal Act or covered by 40 CFR part 63, subpart EEE (e.g., hazardous waste boilers).

(e) A commercial and industrial solid waste incineration unit covered by 40 CFR part 60, subpart CCCC or subpart DDDD.

(f) A recovery boiler or furnace covered by 40 CFR part 63, subpart MM.

(g) A boiler or process heater that is used specifically for research and development. This does not include units that only provide heat or steam to a process at a research and development facility.

(h) A hot water heater as defined in this subpart.

(i) A refining kettle covered by 40 CFR part 63, subpart X.

(j) An ethylene cracking furnace covered by 40 CFR part 63, subpart YY.

(k) Blast furnace stoves as described in the EPA document, entitled "National Emission Standards for Hazardous Air Pollutants (NESHAP) for Integrated Iron and Steel Plants—Background Information for Proposed Standards," (EPA-453/R-01-005).

(l) Any boiler and process heater specifically listed as an affected source in

another standard(s) under 40 CFR part 63.

(m) Any boiler and process heater specifically listed as an affected source in another standard(s) established under section 129 of the Clean Air Act (CAA).

(n) Temporary boilers as defined in this subpart.

(o) Blast furnace gas fuel-fired boilers and process heaters as defined in this subpart.

§ 63.7495 When do I have to comply with this subpart?

(a) If you have a new or reconstructed boiler or process heater, you must comply with this subpart by November 12, 2004 or upon startup of your boiler or process heater, whichever is later.

(b) If you have an existing boiler or process heater, you must comply with this subpart no later than September 13, 2007.

(c) If you have an area source that increases its emissions or its potential to emit such that it becomes a major source of HAP, paragraphs (c)(1) and (2) of this section apply to you.

(1) Any new or reconstructed boiler or process heater at the existing facility must be in compliance with this subpart upon startup.

(2) Any existing boiler or process heater at the existing facility must be in compliance with this subpart within 3 years after the facility becomes a major source.

(d) You must meet the notification requirements in § 63.7545 according to the schedule in § 63.7545 and in subpart A of this part. Some of the notifications must be submitted before you are required to comply with the emission limits and work practice standards in this subpart.

EMISSION LIMITS AND WORK PRACTICE STANDARDS

§ 63.7499 What are the subcategories of boilers and process heaters?

The subcategories of boilers and process heaters are large solid fuel, limited use solid fuel, small solid fuel, large liquid fuel, limited use liquid fuel, small liquid fuel, large gaseous fuel, limited use gaseous fuel, and

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small gaseous fuel. Each subcategory is defined in § 63.7575.

§ 63.7500 What emission limits, work practice standards, and operating limits must I meet?

(a) You must meet the requirements in paragraphs (a)(1) and (2) of this section.

(1) You must meet each emission limit and work practice standard in Table 1 to this subpart that applies to your boiler or process heater, except as provided under § 63.7507.

(2) You must meet each operating limit in Tables 2 through 4 to this subpart that applies to your boiler or process heater. If you use a control device or combination of control devices not covered in Tables 2 through 4 to this subpart, or you wish to establish and monitor an alternative operating limit and alternative monitoring parameters, you must apply to the United States Environmental Protection Agency (EPA) Administrator for approval of alternative monitoring under § 63.8(f).

(b) As provided in § 63.6(g), EPA may approve use of an alternative to the work practice standards in this section.

GENERAL COMPLIANCE REQUIREMENTS

§ 63.7505 What are my general requirements for complying with this subpart?

(a) You must be in compliance with the emission limits (including operating limits) and the work practice standards in this subpart at all times, except during periods of startup, shutdown, and malfunction.

(b) You must always operate and maintain your affected source, including air pollution control and monitoring equipment, according to the provisions in § 63.6(e)(1)(i).

(c) You can demonstrate compliance with any applicable emission limit using fuel analysis if the emission rate calculated according to § 63.7530(d) is less than the applicable emission limit. Otherwise, you must demonstrate compliance using performance testing.

(d) If you demonstrate compliance with any applicable emission limit through performance testing, you must develop a site-specific monitoring plan

according to the requirements in paragraphs (d)(1) through (4) of this section. This requirement also applies to you if you petition the EPA Administrator for alternative monitoring parameters under § 63.8(f).

(1) For each continuous monitoring system (CMS) required in this section, you must develop and submit to the EPA Administrator for approval a site-specific monitoring plan that addresses paragraphs (d)(1)(i) through (iii) of this section. You must submit this site-specific monitoring plan at least 60 days before your initial performance evaluation of your CMS.

(i) Installation of the CMS sampling probe or other interface at a measurement location relative to each affected process unit such that the measurement is representative of control of the exhaust emissions (e.g., on or downstream of the last control device);

(ii) Performance and equipment specifications for the sample interface, the pollutant concentration or parametric signal analyzer, and the data collection and reduction systems; and

(iii) Performance evaluation procedures and acceptance criteria (e.g., calibrations).

(2) In your site-specific monitoring plan, you must also address paragraphs (d)(2)(i) through (iii) of this section.

(i) Ongoing operation and maintenance procedures in accordance with the general requirements of § 63.8(c)(1), (c)(3), and (c)(4)(ii);

(ii) Ongoing data quality assurance procedures in accordance with the general requirements of § 63.8(d); and

(iii) Ongoing recordkeeping and reporting procedures in accordance with the general requirements of § 63.10(c), (e)(1), and (e)(2)(i).

(3) You must conduct a performance evaluation of each CMS in accordance with your site-specific monitoring plan.

(4) You must operate and maintain the CMS in continuous operation according to the site-specific monitoring plan.

(e) If you have an applicable emission limit or work practice standard, you must develop and implement a written startup, shutdown, and malfunction plan (SSMP) according to the provisions in § 63.6(e)(3).

§ 63.7506 Do any boilers or process heaters have limited requirements?

(a) New or reconstructed boilers and process heaters in the large liquid fuel subcategory or the limited use liquid fuel subcategory that burn only fossil fuels and other gases and do not burn any residual oil are subject to the emission limits and applicable work practice standards in Table 1 to this subpart. You are not required to conduct a performance test to demonstrate compliance with the emission limits. You are not required to set and maintain operating limits to demonstrate continuous compliance with the emission limits. However, you must meet the requirements in paragraphs (a)(1) and (2) of this section and meet the CO work practice standard in Table 1 to this subpart.

(1) To demonstrate initial compliance, you must include a signed statement in the Notification of Compliance Status report required in § 63.7545(e) that indicates you burn only liquid fossil fuels other than residual oils, either alone or in combination with gaseous fuels.

(2) To demonstrate continuous compliance with the applicable emission limits, you must also keep records that demonstrate that you burn only liquid fossil fuels other than residual oils, either alone or in combination with gaseous fuels. You must also include a signed statement in each semiannual compliance report required in § 63.7550 that indicates you burned only liquid fossil fuels other than residual oils, either alone or in combination with gaseous fuels, during the reporting period.

(b) The affected boilers and process heaters listed in paragraphs (b)(1) through (3) of this section are subject to only the initial notification requirements in § 63.9(b) (*i.e.*, they are not subject to the emission limits, work practice standards, performance testing, monitoring, SSMP, site-specific monitoring plans, recordkeeping and reporting requirements of this subpart or any other requirements in subpart A of this part).

(1) Existing large and limited use gaseous fuel units.

(2) Existing large and limited use liquid fuel units.

(3) New or reconstructed small liquid fuel units that burn only gaseous fuels or distillate oil. New or reconstructed small liquid fuel boilers and process heaters that commence burning of any other type of liquid fuel must comply with all applicable requirements of this subpart and subpart A of this part upon startup of burning the other type of liquid fuel.

(c) The affected boilers and process heaters listed in paragraphs (c)(1) through (4) of this section are not subject to the initial notification requirements in § 63.9(b) and are not subject to any requirements in this subpart or in subpart A of this part (*i.e.*, they are not subject to the emission limits, work practice standards, performance testing, monitoring, SSM plans, site-specific monitoring plans, recordkeeping and reporting requirements of this subpart, or any other requirements in subpart A of this part).

(1) Existing small solid fuel boilers and process heaters.

(2) Existing small liquid fuel boilers and process heaters.

(3) Existing small gaseous fuel boilers and process heaters.

(4) New or reconstructed small gaseous fuel units.

§ 63.7507 What are the health-based compliance alternatives for the hydrogen chloride (HCl) and total selected metals (TSM) standards?

(a) As an alternative to the requirement for large solid fuel boilers located at a single facility to demonstrate compliance with the HCl emission limit in Table 1 to this subpart, you may demonstrate eligibility for the health-based compliance alternative for HCl emissions under the procedures prescribed in appendix A to this subpart.

(b) In lieu of complying with the TSM emission standards in Table 1 to this subpart based on the sum of emissions for the eight selected metals, you may demonstrate eligibility for complying with the TSM emission standards in Table 1 based on the sum of emissions for seven selected metals (by excluding manganese emissions from the summation of TSM emissions) under the procedures prescribed in appendix A to this subpart.

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TESTING, FUEL ANALYSES, AND INITIAL COMPLIANCE REQUIREMENTS

§63.7510 What are my initial compliance requirements and by what date must I conduct them?

(a) For affected sources that elect to demonstrate compliance with any of the emission limits of this subpart through performance testing, your initial compliance requirements include conducting performance tests according to §63.7520 and Table 5 to this subpart, conducting a fuel analysis for each type of fuel burned in your boiler or process heater according to §63.7521 and Table 6 to this subpart, establishing operating limits according to §63.7530 and Table 7 to this subpart, and conducting CMS performance evaluations according to §63.7525.

(b) For affected sources that elect to demonstrate compliance with the emission limits for HCl, mercury, or TSM through fuel analysis, your initial compliance requirement is to conduct a fuel analysis for each type of fuel burned in your boiler or process heater according to §63.7521 and Table 6 to this subpart and establish operating limits according to §63.7530 and Table 8 to this subpart.

(c) For affected sources that have an applicable work practice standard, your initial compliance requirements depend on the subcategory and rated capacity of your boiler or process heater. If your boiler or process heater is in any of the limited use subcategories or has a heat input capacity less than 100 MMBtu per hour, your initial compliance demonstration is conducting a performance test for carbon monoxide according to Table 5 to this subpart. If your boiler or process heater is in any of the large subcategories and has a heat input capacity of 100 MMBtu per hour or greater, your initial compliance demonstration is conducting a performance evaluation of your continuous emission monitoring system for carbon monoxide according to §63.7525(a).

(d) For existing affected sources, you must demonstrate initial compliance no later than 180 days after the compliance date that is specified for your source in §63.7495 and according to the

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applicable provisions in §63.7(a)(2) as cited in Table 10 to this subpart.

(e) If your new or reconstructed affected source commenced construction or reconstruction between January 13, 2003 and November 12, 2004, you must demonstrate initial compliance with either the proposed emission limits and work practice standards or the promulgated emission limits and work practice standards no later than 180 days after November 12, 2004 or within 180 days after startup of the source, whichever is later, according to §63.7(a)(2)(ix).

(f) If your new or reconstructed affected source commenced construction or reconstruction between January 13, 2003, and November 12, 2004, and you chose to comply with the proposed emission limits and work practice standards when demonstrating initial compliance, you must conduct a second compliance demonstration for the promulgated emission limits and work practice standards within 3 years after November 12, 2004 or within 3 years after startup of the affected source, whichever is later.

(g) If your new or reconstructed affected source commences construction or reconstruction after November 12, 2004, you must demonstrate initial compliance with the promulgated emission limits and work practice standards no later than 180 days after startup of the source.

§63.7515 When must I conduct subsequent performance tests or fuel analyses?

(a) You must conduct all applicable performance tests according to §63.7520 on an annual basis, unless you follow the requirements listed in paragraphs (b) through (d) of this section. Annual performance tests must be completed between 10 and 12 months after the previous performance test, unless you follow the requirements listed in paragraphs (b) through (d) of this section.

(b) You can conduct performance tests less often for a given pollutant if your performance tests for the pollutant (particulate matter, HCl, mercury, or TSM) for at least 3 consecutive years show that you comply with the emission limit. In this case, you do not have to conduct a performance test for

that pollutant for the next 2 years. You must conduct a performance test during the third year and no more than 36 months after the previous performance test.

(c) If your boiler or process heater continues to meet the emission limit for particulate matter, HCl, mercury, or TSM, you may choose to conduct performance tests for these pollutants every third year, but each such performance test must be conducted no more than 36 months after the previous performance test.

(d) If a performance test shows non-compliance with an emission limit for particulate matter, HCl, mercury, or TSM, you must conduct annual performance tests for that pollutant until all performance tests over a consecutive 3-year period show compliance.

(e) If you have an applicable work practice standard for carbon monoxide and your boiler or process heater is in any of the limited use subcategories or has a heat input capacity less than 100 MMBtu per hour, you must conduct annual performance tests for carbon monoxide according to § 63.7520. Each annual performance test must be conducted between 10 and 12 months after the previous performance test.

(f) You must conduct a fuel analysis according to § 63.7521 for each type of fuel burned no later than 5 years after the previous fuel analysis for each fuel type. If you burn a new type of fuel, you must conduct a fuel analysis before burning the new type of fuel in your boiler or process heater. You must still meet all applicable continuous compliance requirements in § 63.7540.

(g) You must report the results of performance tests and fuel analyses within 60 days after the completion of the performance tests or fuel analyses. This report should also verify that the operating limits for your affected source have not changed or provide documentation of revised operating parameters established according to § 63.7530 and Table 7 to this subpart, as applicable. The reports for all subsequent performance tests and fuel analyses should include all applicable information required in § 63.7550.

§ 63.7520 What performance tests and procedures must I use?

(a) You must conduct all performance tests according to § 63.7(c), (d), (f), and (h). You must also develop a site-specific test plan according to the requirements in § 63.7(c) if you elect to demonstrate compliance through performance testing.

(b) You must conduct each performance test according to the requirements in Table 5 to this subpart.

(c) New or reconstructed boilers or process heaters in one of the liquid fuel subcategories that burn only fossil fuels and other gases and do not burn any residual oil must demonstrate compliance according to § 63.7506(a).

(d) You must conduct each performance test under the specific conditions listed in Tables 5 and 7 to this subpart. You must conduct performance tests at the maximum normal operating load while burning the type of fuel or mixture of fuels that have the highest content of chlorine, mercury, and total selected metals, and you must demonstrate initial compliance and establish your operating limits based on these tests. These requirements could result in the need to conduct more than one performance test.

(e) You may not conduct performance tests during periods of startup, shutdown, or malfunction.

(f) You must conduct three separate test runs for each performance test required in this section, as specified in § 63.7(e)(3). Each test run must last at least 1 hour.

(g) To determine compliance with the emission limits, you must use the F-Factor methodology and equations in sections 12.2 and 12.3 of EPA Method 19 of appendix A to part 60 of this chapter to convert the measured particulate matter concentrations, the measured HCl concentrations, the measured TSM concentrations, and the measured mercury concentrations that result from the initial performance test to pounds per million Btu heat input emission rates using F-factors.

§ 63.7521 What fuel analyses and procedures must I use?

(a) You must conduct fuel analyses according to the procedures in paragraphs (b) through (e) of this section

and Table 6 to this subpart, as applicable.

(b) You must develop and submit a site-specific fuel analysis plan to the EPA Administrator for review and approval according to the following procedures and requirements in paragraphs (b)(1) and (2) of this section.

(1) You must submit the fuel analysis plan no later than 60 days before the date that you intend to demonstrate compliance.

(2) You must include the information contained in paragraphs (b)(2)(i) through (vi) of this section in your fuel analysis plan.

(i) The identification of all fuel types anticipated to be burned in each boiler or process heater.

(ii) For each fuel type, the notification of whether you or a fuel supplier will be conducting the fuel analysis.

(iii) For each fuel type, a detailed description of the sample location and specific procedures to be used for collecting and preparing the composite samples if your procedures are different from paragraph (c) or (d) of this section. Samples should be collected at a location that most accurately represents the fuel type, where possible, at a point prior to mixing with other dissimilar fuel types.

(iv) For each fuel type, the analytical methods, with the expected minimum detection levels, to be used for the measurement of selected total metals, chlorine, or mercury.

(v) If you request to use an alternative analytical method other than those required by Table 6 to this subpart, you must also include a detailed description of the methods and procedures that will be used.

(vi) If you will be using fuel analysis from a fuel supplier in lieu of site-specific sampling and analysis, the fuel supplier must use the analytical methods required by Table 6 to this subpart.

(c) At a minimum, you must obtain three composite fuel samples for each fuel type according to the procedures in paragraph (c)(1) or (2) of this section.

(1) If sampling from a belt (or screw) feeder, collect fuel samples according to paragraphs (c)(1)(i) and (ii) of this section.

(i) Stop the belt and withdraw a 6-inch wide sample from the full cross-

section of the stopped belt to obtain a minimum two pounds of sample. Collect all the material (fines and coarse) in the full cross-section. Transfer the sample to a clean plastic bag.

(ii) Each composite sample will consist of a minimum of three samples collected at approximately equal intervals during the testing period.

(2) If sampling from a fuel pile or truck, collect fuel samples according to paragraphs (c)(2)(i) through (iii) of this section.

(i) For each composite sample, select a minimum of five sampling locations uniformly spaced over the surface of the pile.

(ii) At each sampling site, dig into the pile to a depth of 18 inches. Insert a clean flat square shovel into the hole and withdraw a sample, making sure that large pieces do not fall off during sampling.

(iii) Transfer all samples to a clean plastic bag for further processing.

(d) Prepare each composite sample according to the procedures in paragraphs (d)(1) through (7) of this section.

(1) Thoroughly mix and pour the entire composite sample over a clean plastic sheet.

(2) Break sample pieces larger than 3 inches into smaller sizes.

(3) Make a pic shape with the entire composite sample and subdivide it into four equal parts.

(4) Separate one of the quarter samples as the first subset.

(5) If this subset is too large for grinding, repeat the procedure in paragraph (d)(3) of this section with the quarter sample and obtain a one-quarter subset from this sample.

(6) Grind the sample in a mill.

(7) Use the procedure in paragraph (d)(3) of this section to obtain a one-quarter subsample for analysis. If the quarter sample is too large, subdivide it further using the same procedure.

(e) Determine the concentration of pollutants in the fuel (mercury, chlorine, and/or total selected metals) in units of pounds per million Btu of each composite sample for each fuel type according to the procedures in Table 6 to this subpart.

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§ 63.7522 Can I use emission averaging to comply with this subpart?

(a) As an alternative to meeting the requirements of §63.7500, if you have more than one existing large solid fuel boiler located at your facility, you may demonstrate compliance by emission averaging according to the procedures in this section in a State that does not choose to exclude emission averaging.

(b) For each existing large solid fuel boiler in the averaging group, the emission rate achieved during the initial compliance test for the HAP being averaged must not exceed the emission level that was being achieved on November 12, 2004 or the control technology employed during the initial compliance test must not be less effective for the HAP being averaged than the control technology employed on November 12, 2004.

(c) You may average particulate matter or TSM, HCl, and mercury emis-

sions from existing large solid fuel boilers to demonstrate compliance with the limits in Table 1 to this subpart if you satisfy the requirements in paragraphs (d), (e), and (f) of this section.

(d) The weighted average emissions from the existing large solid fuel boilers participating in the emissions averaging option must be in compliance with the limits in Table 1 to this subpart at all times following the compliance date specified in §63.7495.

(e) You must demonstrate initial compliance according to paragraphs (e)(1) or (2) of this section.

(1) You must use Equation 1 of this section to demonstrate that the particulate matter or TSM, HCl, and mercury emissions from all existing large solid fuel boilers participating in the emissions averaging option do not exceed the emission limits in Table 1 to this subpart.

$$\text{AveWeighted Emissions} = \sum_{i=1}^n (\text{Er} \times \text{Hm}) \div \sum_{i=1}^n \text{Hm} \quad (\text{Eq. 1})$$

Where:

AveWeighted = Average weighted emissions for particulate matter or TSM, HCl, or mercury, in units of pounds per million Btu of heat input.

Er = Emission rate (as calculated according to Table 5 to this subpart) or fuel analysis (as calculated by the applicable equation in §63.7530(d)) for boiler, i, for particulate matter or TSM, HCl, or mercury, in units of pounds per million Btu of heat input.

Hm = Maximum rated heat input capacity of boiler, i, in units of million Btu per hour.

n = Number of large solid fuel boilers participating in the emissions averaging option.

(2) If you are not capable of monitoring heat input, you can use Equation 2 of this section as an alternative to using equation 1 of this section to demonstrate that the particulate matter or TSM, HCl, and mercury emissions from all existing large solid fuel boilers participating in the emissions averaging option do not exceed the emission limits in Table 1 to this subpart.

$$\text{AveWeighted Emissions} = \sum_{i=1}^n (\text{Er} \times \text{Sm} \times \text{Cf}) \div \sum_{i=1}^n \text{Sm} \times \text{Cf} \quad (\text{Eq. 2})$$

Where:

AveWeighted = Average weighted emission level for PM or TSM, HCl, or mercury, in units of pounds per million Btu of heat input.

Er = Emission rate (as calculated according to Table 5 to this subpart) or fuel analysis (as calculated by the applicable equation in §63.7530(d)) for boiler, i, for particulate matter or TSM, HCl, or mercury, in units of pounds per million Btu of heat input.

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S_m = Maximum steam generation by boiler, i , in units of pounds.

C_f = Conversion factor, calculated from the most recent compliance test, in units of million Btu of heat input per pounds of steam generated.

(f) You must demonstrate continuous compliance on a 12-month rolling average basis determined at the end of every month (12 times per year) according to paragraphs (f)(1) and (2). The

first 12-month rolling-average period begins on the compliance date specified in § 63.7495.

(1) For each calendar month, you must use Equation 3 of this section to calculate the 12-month rolling average weighted emission limit using the actual heat capacity for each existing large solid fuel boiler participating in the emissions averaging option.

$$\text{AveWeighted Emissions} = \sum_{i=1}^n (E_r \times H_b) + \sum_{i=1}^n H_b \quad (\text{Eq. 3})$$

Where:

AveWeighted Emissions = 12-month rolling average weighted emission level for particulate matter or TSM, HCl, or mercury, in units of pounds per million Btu of heat input.

E_r = Emission rate, calculated during the most recent compliance test, (as calculated according to Table 5 to this subpart) or fuel analysis (as calculated by the applicable equation in § 63.7530(d)) for boiler, i , for particulate matter or TSM, HCl, or mercury, in units of pounds per million Btu of heat input.

H_b = The average heat input for each calendar month of boiler, i , in units of million Btu.

n = Number of large solid fuel boilers participating in the emissions averaging option.

(2) If you are not capable of monitoring heat input, you can use Equation 4 of this section as an alternative to using Equation 3 of this section to calculate the 12-month rolling average weighted emission limit using the actual steam generation from the large solid fuel boilers participating in the emissions averaging option.

$$\text{AveWeighted Emissions} = \sum_{i=1}^n (E_r \times S_a \times C_f) + \sum_{i=1}^n S_a \times C_f \quad (\text{Eq. 4})$$

Where:

AveWeighted Emissions = 12-month rolling average weighted emission level for PM or TSM, HCl, or mercury, in units of pounds per million Btu of heat input.

E_r = Emission rate, calculated during the most recent compliance test (as calculated according to Table 5 to this subpart) or fuel analysis (as calculated by the applicable equation in § 63.7530(d)) for boiler, i , for particulate matter or TSM, HCl, or mercury, in units of pounds per million Btu of heat input.

S_a = Actual steam generation for each calendar month by boiler, i , in units of pounds.

C_f = Conversion factor, as calculated during the most recent compliance test, in units of million Btu of heat input per pounds of steam generated.

(g) You must develop and submit an implementation plan for emission averaging to the applicable regulatory authority for review and approval according to the following procedures and requirements in paragraphs (g)(1) through (4).

(1) You must submit the implementation plan no later than 180 days before the date that the facility intends to demonstrate compliance using the emission averaging option.

(2) You must include the information contained in paragraphs (g)(2)(i) through (vii) of this section in your implementation plan for all emission sources included in an emissions average:

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(i) The identification of all existing large solid fuel boilers in the averaging group, including for each either the applicable HAP emission level or the control technology installed on;

(ii) The process parameter (heat input or steam generated) that will be monitored for each averaging group of large solid fuel boilers;

(iii) The specific control technology or pollution prevention measure to be used for each emission source in the averaging group and the date of its installation or application. If the pollution prevention measure reduces or eliminates emissions from multiple sources, the owner or operator must identify each source;

(iv) The test plan for the measurement of particulate matter (or TSM), HCl, or mercury emissions in accordance with the requirements in § 63.7520;

(v) The operating parameters to be monitored for each control system or device and a description of how the operating limits will be determined;

(vi) If you request to monitor an alternative operating parameter pursuant to § 63.7525, you must also include:

(A) A description of the parameter(s) to be monitored and an explanation of the criteria used to select the parameter(s); and

(B) A description of the methods and procedures that will be used to demonstrate that the parameter indicates proper operation of the control device; the frequency and content of monitoring, reporting, and recordkeeping requirements; and a demonstration, to the satisfaction of the applicable regulatory authority, that the proposed monitoring frequency is sufficient to represent control device operating conditions; and

(vii) A demonstration that compliance with each of the applicable emission limit(s) will be achieved under representative operating conditions.

(3) Upon receipt, the regulatory authority shall review and approve or disapprove the plan according to the following criteria:

(i) Whether the content of the plan includes all of the information specified in paragraph (g)(2) of this section; and

(ii) Whether the plan presents sufficient information to determine that

compliance will be achieved and maintained.

(4) The applicable regulatory authority shall not approve an emission averaging implementation plan containing any of the following provisions:

(i) Any averaging between emissions of differing pollutants or between differing sources; or

(ii) The inclusion of any emission source other than an existing large solid fuel boiler.

§ 63.7525 What are my monitoring, installation, operation, and maintenance requirements?

(a) If you have an applicable work practice standard for carbon monoxide, and your boiler or process heater is in any of the large subcategories and has a heat input capacity of 100 MMBtu per hour or greater, you must install, operate, and maintain a continuous emission monitoring system (CEMS) for carbon monoxide according to the procedures in paragraphs (a)(1) through (6) of this section by the compliance date specified in § 63.7495.

(1) Each CEMS must be installed, operated, and maintained according to Performance Specification (PS) 4A of 40 CFR part 60, appendix B, and according to the site-specific monitoring plan developed according to § 63.7505(d).

(2) You must conduct a performance evaluation of each CEMS according to the requirements in § 63.8 and according to PS 4A of 40 CFR part 60, appendix B.

(3) Each CEMS must complete a minimum of one cycle of operation (sampling, analyzing, and data recording) for each successive 15-minute period.

(4) The CEMS data must be reduced as specified in § 63.8(g)(2).

(5) You must calculate and record a 30-day rolling average emission rate on a daily basis. A new 30-day rolling average emission rate is calculated as the average of all of the hourly CO emission data for the preceding 30 operating days.

(6) For purposes of calculating data averages, you must not use data recorded during periods of monitoring malfunctions, associated repairs, out-of-control periods, required quality assurance or control activities, or when your boiler or process heater is operating at less than 50 percent of its

rated capacity. You must use all the data collected during all other periods in assessing compliance. Any period for which the monitoring system is out of control and data are not available for required calculations constitutes a deviation from the monitoring requirements.

(b) If you have an applicable opacity operating limit, you must install, operate, certify and maintain each continuous opacity monitoring system (COMS) according to the procedures in paragraphs (b)(1) through (7) of this section by the compliance date specified in § 63.7495.

(1) Each COMS must be installed, operated, and maintained according to PS 1 of 40 CFR part 60, appendix B.

(2) You must conduct a performance evaluation of each COMS according to the requirements in § 63.8 and according to PS 1 of 40 CFR part 60, appendix B.

(3) As specified in § 63.8(c)(4)(i), each COMS must complete a minimum of one cycle of sampling and analyzing for each successive 10-second period and one cycle of data recording for each successive 6-minute period.

(4) The COMS data must be reduced as specified in § 63.8(g)(2).

(5) You must include in your site-specific monitoring plan procedures and acceptance criteria for operating and maintaining each COMS according to the requirements in § 63.8(d). At a minimum, the monitoring plan must include a daily calibration drift assessment, a quarterly performance audit, and an annual zero alignment audit of each COMS.

(6) You must operate and maintain each COMS according to the requirements in the monitoring plan and the requirements of § 63.8(e). Identify periods the COMS is out of control including any periods that the COMS fails to pass a daily calibration drift assessment, a quarterly performance audit, or an annual zero alignment audit.

(7) You must determine and record all the 6-minute averages (and 1-hour block averages as applicable) collected for periods during which the COMS is not out of control.

(c) If you have an operating limit that requires the use of a CMS, you must install, operate, and maintain each continuous parameter monitoring

system (CPMS) according to the procedures in paragraphs (c)(1) through (5) of this section by the compliance date specified in § 63.7495.

(1) The CPMS must complete a minimum of one cycle of operation for each successive 15-minute period. You must have a minimum of four successive cycles of operation to have a valid hour of data.

(2) Except for monitoring malfunctions, associated repairs, and required quality assurance or control activities (including, as applicable, calibration checks and required zero and span adjustments), you must conduct all monitoring in continuous operation at all times that the unit is operating. A monitoring malfunction is any sudden, infrequent, not reasonably preventable failure of the monitoring to provide valid data. Monitoring failures that are caused in part by poor maintenance or careless operation are not malfunctions.

(3) For purposes of calculating data averages, you must not use data recorded during monitoring malfunctions, associated repairs, out of control periods, or required quality assurance or control activities. You must use all the data collected during all other periods in assessing compliance. Any period for which the monitoring system is out-of-control and data are not available for required calculations constitutes a deviation from the monitoring requirements.

(4) Determine the 3-hour block average of all recorded readings, except as provided in paragraph (c)(3) of this section.

(5) Record the results of each inspection, calibration, and validation check.

(d) If you have an operating limit that requires the use of a flow measurement device, you must meet the requirements in paragraphs (c) and (d)(1) through (4) of this section.

(1) Locate the flow sensor and other necessary equipment in a position that provides a representative flow.

(2) Use a flow sensor with a measurement sensitivity of 2 percent of the flow rate.

(3) Reduce swirling flow or abnormal velocity distributions due to upstream and downstream disturbances.

(4) Conduct a flow sensor calibration check at least semiannually.

(e) If you have an operating limit that requires the use of a pressure measurement device, you must meet the requirements in paragraphs (c) and (c)(1) through (6) of this section.

(1) Locate the pressure sensor(s) in a position that provides a representative measurement of the pressure.

(2) Minimize or eliminate pulsating pressure, vibration, and internal and external corrosion.

(3) Use a gauge with a minimum tolerance of 1.27 centimeters of water or a transducer with a minimum tolerance of 1 percent of the pressure range.

(4) Check pressure tap pluggage daily.

(5) Using a manometer, check gauge calibration quarterly and transducer calibration monthly.

(6) Conduct calibration checks any time the sensor exceeds the manufacturer's specified maximum operating pressure range or install a new pressure sensor.

(f) If you have an operating limit that requires the use of a pH measurement device, you must meet the requirements in paragraphs (c) and (f)(1) through (3) of this section.

(1) Locate the pH sensor in a position that provides a representative measurement of scrubber effluent pH.

(2) Ensure the sample is properly mixed and representative of the fluid to be measured.

(3) Check the pH meter's calibration on at least two points every 8 hours of process operation.

(g) If you have an operating limit that requires the use of equipment to monitor voltage and secondary current (or total power input) of an electrostatic precipitator (ESP), you must use voltage and secondary current monitoring equipment to measure voltage and secondary current to the ESP.

(h) If you have an operating limit that requires the use of equipment to monitor sorbent injection rate (e.g., weigh belt, weigh hopper, or hopper flow measurement device), you must meet the requirements in paragraphs (c) and (h)(1) through (3) of this section.

(1) Locate the device in a position(s) that provides a representative meas-

urement of the total sorbent injection rate.

(2) Install and calibrate the device in accordance with manufacturer's procedures and specifications.

(3) At least annually, calibrate the device in accordance with the manufacturer's procedures and specifications.

(i) If you elect to use a fabric filter bag leak detection system to comply with the requirements of this subpart, you must install, calibrate, maintain, and continuously operate a bag leak detection system as specified in paragraphs (i)(1) through (8) of this section.

(1) You must install and operate a bag leak detection system for each exhaust stack of the fabric filter.

(2) Each bag leak detection system must be installed, operated, calibrated, and maintained in a manner consistent with the manufacturer's written specifications and recommendations and in accordance with the guidance provided in EPA-454/R-98-015, September 1997.

(3) The bag leak detection system must be certified by the manufacturer to be capable of detecting particulate matter emissions at concentrations of 10 milligrams per actual cubic meter or less.

(4) The bag leak detection system sensor must provide output of relative or absolute particulate matter loadings.

(5) The bag leak detection system must be equipped with a device to continuously record the output signal from the sensor.

(6) The bag leak detection system must be equipped with an alarm system that will sound automatically when an increase in relative particulate matter emissions over a preset level is detected. The alarm must be located where it is easily heard by plant operating personnel.

(7) For positive pressure fabric filter systems that do not duct all compartments of cells to a common stack, a bag leak detection system must be installed in each baghouse compartment or cell.

(8) Where multiple bag leak detectors are required, the system's instrumentation and alarm may be shared among detectors.

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§ 63.7530 How do I demonstrate initial compliance with the emission limits and work practice standards?

(a) You must demonstrate initial compliance with each emission limit and work practice standard that applies to you by either conducting initial performance tests and establishing operating limits, as applicable, according to § 63.7520, paragraph (c) of this section, and Tables 5 and 7 to this subpart OR conducting initial fuel analyses to determine emission rates and establishing operating limits, as applicable, according to § 63.7521, paragraph (d) of this section, and Tables 6 and 8 to this subpart.

(b) New or reconstructed boilers or process heaters in one of the liquid fuel subcategories that burn only fossil fuels and other gases and do not burn any residual oil must demonstrate compliance according to § 63.7506(a).

(c) If you demonstrate compliance through performance testing, you must establish each site-specific operating limit in Tables 2 through 4 to this subpart that applies to you according to the requirements in § 63.7520, Table 7 to this subpart, and paragraph (c)(4) of this section, as applicable. You must also conduct fuel analyses according to § 63.7521 and establish maximum fuel pollutant input levels according to paragraphs (c)(1) through (3) of this section, as applicable.

(1) You must establish the maximum chlorine fuel input (C_{input}) during the initial performance testing according to the procedures in paragraphs (c)(1)(i) through (iii) of this section.

(i) You must determine the fuel type or fuel mixture that you could burn in your boiler or process heater that has the highest content of chlorine.

(ii) During the performance testing for HCl, you must determine the fraction of the total heat input for each fuel type burned (Q_i) based on the fuel mixture that has the highest content of chlorine, and the average chlorine concentration of each fuel type burned (C_i).

(iii) You must establish a maximum chlorine input level using Equation 5 of this section.

$$C_{input} = \sum_{i=1}^n [(C_i)(Q_i)] \quad (\text{Eq. 5})$$

Where:

C_{input} = Maximum amount of chlorine entering the boiler or process heater through fuels burned in units of pounds per million Btu.

C_i = Arithmetic average concentration of chlorine in fuel type, i , analyzed according to § 63.7521, in units of pounds per million Btu.

Q_i = Fraction of total heat input from fuel type, i , based on the fuel mixture that has the highest content of chlorine. If you do not burn multiple fuel types during the performance testing, it is not necessary to determine the value of this term. Insert a value of "1" for Q_i .

n = Number of different fuel types burned in your boiler or process heater for the mixture that has the highest content of chlorine.

(2) If you choose to comply with the alternative TSM emission limit instead of the particulate matter emission limit, you must establish the maximum TSM fuel input level (TSM_{input}) during the initial performance testing according to the procedures in paragraphs (c)(2)(i) through (iii) of this section.

(i) You must determine the fuel type or fuel mixture that you could burn in your boiler or process heater that has the highest content of TSM.

(ii) During the performance testing for TSM, you must determine the fraction of total heat input from each fuel burned (Q_i) based on the fuel mixture that has the highest content of total selected metals, and the average TSM concentration of each fuel type burned (M_i).

(iii) You must establish a baseline TSM input level using Equation 6 of this section.

$$TSM_{input} = \sum_{i=1}^n [(M_i)(Q_i)] \quad (\text{Eq. 6})$$

Where:

TSM_{input} = Maximum amount of TSM entering the boiler or process heater through fuels burned in units of pounds per million Btu.

M_i = Arithmetic average concentration of TSM in fuel type, i , analyzed according to §63.7521, in units of pounds per million Btu.

Q_i = Fraction of total heat input from based fuel type, i , based on the fuel mixture that has the highest content of TSM. If you do not burn multiple fuel types during the performance test, it is not necessary to determine the value of this term. Insert a value of "1" for Q_i .

n = Number of different fuel types burned in your boiler or process heater for the mixture that has the highest content of TSM.

(3) You must establish the maximum mercury fuel input level (Mercury_{input}) during the initial performance testing using the procedures in paragraphs (c)(3)(i) through (iii) of this section.

(i) You must determine the fuel type or fuel mixture that you could burn in your boiler or process heater that has the highest content of mercury.

(ii) During the compliance demonstration for mercury, you must determine the fraction of total heat input for each fuel burned (Q_i) based on the fuel mixture that has the highest content of mercury, and the average mercury concentration of each fuel type burned (HG_i).

(iii) You must establish a maximum mercury input level using Equation 7 of this section.

$$\text{Mercury}_{\text{input}} = \sum_{i=1}^n [(HG_i)(Q_i)] \quad (\text{Eq. 7})$$

Where:

Mercury_{input} = Maximum amount of mercury entering the boiler or process heater through fuels burned in units of pounds per million Btu.

HG_i = Arithmetic average concentration of mercury in fuel type, i , analyzed according to §63.7521, in units of pounds per million Btu.

Q_i = Fraction of total heat input from fuel type, i , based on the fuel mixture that has the highest mercury content. If you do not burn multiple fuel types during the performance test, it is not necessary to determine the value of this term. Insert a value of "1" for Q_i .

n = Number of different fuel types burned in your boiler or process

heater for the mixture that has the highest content of mercury.

(4) You must establish parameter operating limits according to paragraphs (c)(4)(i) through (iv) of this section.

(i) For a wet scrubber, you must establish the minimum scrubber effluent pH, liquid flowrate, and pressure drop as defined in §63.7575, as your operating limits during the three-run performance test. If you use a wet scrubber and you conduct separate performance tests for particulate matter, HCl, and mercury emissions, you must establish one set of minimum scrubber effluent pH, liquid flowrate, and pressure drop operating limits. The minimum scrubber effluent pH operating limit must be established during the HCl performance test. If you conduct multiple performance tests, you must set the minimum liquid flowrate and pressure drop operating limits at the highest minimum values established during the performance tests.

(ii) For an electrostatic precipitator, you must establish the minimum voltage and secondary current (or total power input), as defined in §63.7575, as your operating limits during the three-run performance test.

(iii) For a dry scrubber, you must establish the minimum sorbent injection rate, as defined in §63.7575, as your operating limit during the three-run performance test.

(iv) The operating limit for boilers or process heaters with fabric filters that choose to demonstrate continuous compliance through bag leak detection systems is that a bag leak detection system be installed according to the requirements in §63.7525, and that each fabric filter must be operated such that the bag leak detection system alarm does not sound more than 5 percent of the operating time during a 6-month period.

(d) If you elect to demonstrate compliance with an applicable emission limit through fuel analysis, you must conduct fuel analyses according to §63.7521 and follow the procedures in paragraphs (d)(1) through (5) of this section.

(1) If you burn more than one fuel type, you must determine the fuel mixture you could burn in your boiler or process heater that would result in the

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maximum emission rates of the pollutants that you elect to demonstrate compliance through fuel analysis.

(2) You must determine the 90th percentile confidence level fuel pollutant concentration of the composite samples analyzed for each fuel type using the one-sided z-statistic test described in Equation 8 of this section.

$$P_{90} = \text{mean} + (\text{SD} \times t) \quad (\text{Eq. 8})$$

Where:

P_{90} = 90th percentile confidence level pollutant concentration, in pounds per million Btu.

mean = Arithmetic average of the fuel pollutant concentration in the fuel samples analyzed according to § 63.7521, in units of pounds per million Btu.

SD = Standard deviation of the pollutant concentration in the fuel samples analyzed according to § 63.7521, in units of pounds per million Btu.

t = t distribution critical value for 90th percentile (0.1) probability for the appropriate degrees of freedom (number of samples minus one) as obtained from a Distribution Critical Value Table.

(3) To demonstrate compliance with the applicable emission limit for HCl, the HCl emission rate that you calculate for your boiler or process heater using Equation 9 of this section must be less than the applicable emission limit for HCl.

$$\text{HCl} = \sum_{i=1}^n [(C_{i90})(Q_i)(1.028)] \quad (\text{Eq. 9})$$

Where:

HCl = HCl emission rate from the boiler or process heater in units of pounds per million Btu.

C_{i90} = 90th percentile confidence level concentration of chlorine in fuel type, i , in units of pounds per million Btu as calculated according to Equation 8 of this section.

Q_i = Fraction of total heat input from fuel type, i , based on the fuel mixture that has the highest content of chlorine. If you do not burn multiple fuel types, it is not necessary to determine the value of this term. Insert a value of "1" for Q_i .

n = Number of different fuel types burned in your boiler or process heater for the mixture that has the highest content of chlorine.

1.028 = Molecular weight ratio of HCl to chlorine.

(4) To demonstrate compliance with the applicable emission limit for TSM, the TSM emission rate that you calculate for your boiler or process heater using Equation 10 of this section must be less than the applicable emission limit for TSM.

$$\text{TSM} = \sum_{i=1}^n [(M_{i90})(Q_i)] \quad (\text{Eq. 10})$$

Where:

TSM = TSM emission rate from the boiler or process heater in units of pounds per million Btu.

M_{i90} = 90th percentile confidence level concentration of TSM in fuel, i , in units of pounds per million Btu as calculated according to Equation 8 of this section.

Q_i = Fraction of total heat input from fuel type, i , based on the fuel mixture that has the highest content of total selected metals. If you do not burn multiple fuel types, it is not necessary to determine the value of this term. Insert a value of "1" for Q_i .

n = Number of different fuel types burned in your boiler or process heater for the mixture that has the highest content of TSM.

(5) To demonstrate compliance with the applicable emission limit for mercury, the mercury emission rate that you calculate for your boiler or process heater using Equation 11 of this section must be less than the applicable emission limit for mercury.

$$\text{Mercury} = \sum_{i=1}^n [(HG_{i90})(Q_i)] \quad (\text{Eq. 11})$$

Where:

Mercury = Mercury emission rate from the boiler or process heater in units of pounds per million Btu.

HG_{i90} = 90th percentile confidence level concentration of mercury in fuel, i , in units of pounds per million Btu as calculated according to Equation 8 of this section.

Q_i = Fraction of total heat input from fuel type, i , based on the fuel mixture that has the highest mercury content. If you do not burn multiple fuel types, it is not necessary to determine the value of this term. Insert a value of "1" for Q_i .

n = Number of different fuel types burned in your boiler or process heater for the mixture that has the highest mercury content.

(e) You must submit the Notification of Compliance Status containing the results of the initial compliance demonstration according to the requirements in § 63.7545(e).

CONTINUOUS COMPLIANCE REQUIREMENTS

§ 63.7535 How do I monitor and collect data to demonstrate continuous compliance?

(a) You must monitor and collect data according to this section and the site-specific monitoring plan required by § 63.7505(d).

(b) Except for monitor malfunctions, associated repairs, and required quality assurance or control activities (including, as applicable, calibration checks and required zero and span adjustments), you must monitor continuously (or collect data at all required intervals) at all times that the affected source is operating.

(c) You may not use data recorded during monitoring malfunctions, associated repairs, or required quality assurance or control activities in data averages and calculations used to report emission or operating levels. You must use all the data collected during all other periods in assessing the operation of the control device and associated control system. Boilers and process heaters that have an applicable carbon monoxide work practice standard and are required to install and operate a CEMS, may not use data recorded during periods when the boiler or process heater is operating at less than 50 percent of its rated capacity.

§ 63.7540 How do I demonstrate continuous compliance with the emission limits and work practice standards?

(a) You must demonstrate continuous compliance with each emission limit, operating limit, and work prac-

tice standard in Tables 1 through 4 to this subpart that applies to you according to the methods specified in Table 8 to this subpart and paragraphs (a)(1) through (10) of this section.

(1) Following the date on which the initial performance test is completed or is required to be completed under §§ 63.7 and 63.7510, whichever date comes first, you must not operate above any of the applicable maximum operating limits or below any of the applicable minimum operating limits listed in Tables 2 through 4 to this subpart at all times except during periods of startup, shutdown and malfunction. Operating limits do not apply during performance tests. Operation above the established maximum or below the established minimum operating limits shall constitute a deviation of established operating limits.

(2) You must keep records of the type and amount of all fuels burned in each boiler or process heater during the reporting period to demonstrate that all fuel types and mixtures of fuels burned would either result in lower emissions of TSM, HCl, and mercury, than the applicable emission limit for each pollutant (if you demonstrate compliance through fuel analysis), or result in lower fuel input of TSM, chlorine, and mercury than the maximum values calculated during the last performance tests (if you demonstrate compliance through performance testing).

(3) If you demonstrate compliance with an applicable HCl emission limit through fuel analysis and you plan to burn a new type of fuel, you must recalculate the HCl emission rate using Equation 9 of § 63.7530 according to paragraphs (a)(3)(i) through (iii) of this section.

(i) You must determine the chlorine concentration for any new fuel type in units of pounds per million Btu, based on supplier data or your own fuel analysis, according to the provisions in your site-specific fuel analysis plan developed according to § 63.7521(b).

(ii) You must determine the new mixture of fuels that will have the highest content of chlorine.

(iii) Recalculate the HCl emission rate from your boiler or process heater under these new conditions using Equation 9 of § 63.7530. The recalculated HCl

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emission rate must be less than the applicable emission limit.

(4) If you demonstrate compliance with an applicable HCl emission limit through performance testing and you plan to burn a new type of fuel type or a new mixture of fuels, you must recalculate the maximum chlorine input using Equation 5 of § 63.7530. If the results of recalculating the maximum chlorine input using Equation 5 of § 63.7530 are higher than the maximum chlorine input level established during the previous performance test, then you must conduct a new performance test within 60 days of burning the new fuel type or fuel mixture according to the procedures in § 63.7520 to demonstrate that the HCl emissions do not exceed the emission limit. You must also establish new operating limits based on this performance test according to the procedures in § 63.7530(c).

(5) If you demonstrate compliance with an applicable TSM emission limit through fuel analysis, and you plan to burn a new type of fuel, you must recalculate the TSM emission rate using Equation 10 of § 63.7530 according to the procedures specified in paragraphs (a)(5)(i) through (ii) of this section.

(i) You must determine the TSM concentration for any new fuel type in units of pounds per million Btu, based on supplier data or your own fuel analysis, according to the provisions in your site-specific fuel analysis plan developed according to § 63.7521(b).

(ii) You must determine the new mixture of fuels that will have the highest content of TSM.

(iii) Recalculate the TSM emission rate from your boiler or process heater under these new conditions using Equation 10 of § 63.7530. The recalculated TSM emission rate must be less than the applicable emission limit.

(6) If you demonstrate compliance with an applicable TSM emission limit through performance testing, and you plan to burn a new type of fuel or a new mixture of fuels, you must recalculate the maximum TSM input using Equation 6 of § 63.7530. If the results of recalculating the maximum total selected metals input using Equation 6 of § 63.7530 are higher than the maximum TSM input level established during the previous performance test, then you

must conduct a new performance test within 60 days of burning the new fuel type or fuel mixture according to the procedures in § 63.7520 to demonstrate that the TSM emissions do not exceed the emission limit. You must also establish new operating limits based on this performance test according to the procedures in § 63.7530(c).

(7) If you demonstrate compliance with an applicable mercury emission limit through fuel analysis, and you plan to burn a new type of fuel, you must recalculate the mercury emission rate using Equation 11 of § 63.7530 according to the procedures specified in paragraphs (a)(7)(i) through (iii) of this section.

(i) You must determine the mercury concentration for any new fuel type in units of pounds per million Btu, based on supplier data or your own fuel analysis, according to the provisions in your site-specific fuel analysis plan developed according to § 63.7521(b).

(ii) You must determine the new mixture of fuels that will have the highest content of mercury.

(iii) Recalculate the mercury emission rate from your boiler or process heater under these new conditions using Equation 11 of § 63.7530. The recalculated mercury emission rate must be less than the applicable emission limit.

(8) If you demonstrate compliance with an applicable mercury emission limit through performance testing, and you plan to burn a new type of fuel or a new mixture of fuels, you must recalculate the maximum mercury input using Equation 7 of § 63.7530. If the results of recalculating the maximum mercury input using Equation 7 of § 63.7530 are higher than the maximum mercury input level established during the previous performance test, then you must conduct a new performance test within 60 days of burning the new fuel type or fuel mixture according to the procedures in § 63.7520 to demonstrate that the mercury emissions do not exceed the emission limit. You must also establish new operating limits based on this performance test according to the procedures in § 63.7530(c).

(9) If your unit is controlled with a fabric filter, and you demonstrate continuous compliance using a bag leak

detection system, you must initiate corrective action within 1 hour of a bag leak detection system alarm and complete corrective actions according to your SSMP, and operate and maintain the fabric filter system such that the alarm does not sound more than 5 percent of the operating time during a 6-month period. You must also keep records of the date, time, and duration of each alarm, the time corrective action was initiated and completed, and a brief description of the cause of the alarm and the corrective action taken. You must also record the percent of the operating time during each 6-month period that the alarm sounds. In calculating this operating time percentage, if inspection of the fabric filter demonstrates that no corrective action is required, no alarm time is counted. If corrective action is required, each alarm shall be counted as a minimum of 1 hour. If you take longer than 1 hour to initiate corrective action, the alarm time shall be counted as the actual amount of time taken to initiate corrective action.

(10) If you have an applicable work practice standard for carbon monoxide, and you are required to install a CEMS according to § 63.7525(a), then you must meet the requirements in paragraphs (a)(10)(i) through (iii) of this section.

(i) You must continuously monitor carbon monoxide according to §§ 63.7525(a) and 63.7535.

(ii) Maintain a carbon monoxide emission level below your applicable carbon monoxide work practice standard in Table 1 to this subpart at all times except during periods of startup, shutdown, malfunction, and when your boiler or process heater is operating at less than 50 percent of rated capacity.

(iii) Keep records of carbon monoxide levels according to § 63.7555(b).

(b) You must report each instance in which you did not meet each emission limit, operating limit, and work practice standard in Tables 1 through 4 to this subpart that apply to you. You must also report each instance during a startup, shutdown, or malfunction when you did not meet each applicable emission limit, operating limit, and work practice standard. These instances are deviations from the emission limits and work practice stand-

ards in this subpart. These deviations must be reported according to the requirements in § 63.7550.

(c) During periods of startup, shutdown, and malfunction, you must operate in accordance with the SSMP as required in § 63.7505(e).

(d) Consistent with §§ 63.6(e) and 63.7(e)(1), deviations that occur during a period of startup, shutdown, or malfunction are not violations if you demonstrate to the EPA Administrator's satisfaction that you were operating in accordance with your SSMP. The EPA Administrator will determine whether deviations that occur during a period of startup, shutdown, or malfunction are violations, according to the provisions in § 63.6(e).

§ 63.7541 How do I demonstrate continuous compliance under the emission averaging provision?

(a) Following the compliance date, the owner or operator must demonstrate compliance with this subpart on a continuous basis by meeting the requirements of paragraphs (a)(1) through (4) of this section.

(1) For each calendar month, demonstrate compliance with the average weighted emissions limit for the existing large solid fuel boilers participating in the emissions averaging option as determined in § 63.7522(f) and (g);

(2) For each existing solid fuel boiler participating in the emissions averaging option that is equipped with a dry control system, maintain opacity at or below the applicable limit;

(3) For each existing solid fuel boiler participating in the emissions averaging option that is equipped with a wet scrubber, maintain the 3-hour average parameter values at or below the operating limits established during the most recent performance test; and

(4) For each existing solid fuel boiler participating in the emissions averaging option that has an approved alternative operating plan, maintain the 3-hour average parameter values at or below the operating limits established in the most recent performance test.

(b) Any instance where the owner or operator fails to comply with the continuous monitoring requirements in paragraphs (a)(1) through (4) of this

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section, except during periods of startup, shutdown, and malfunction, is a deviation.

NOTIFICATION, REPORTS, AND RECORDS

§ 63.7545 What notifications must I submit and when?

(a) You must submit all of the notifications in §§ 63.7(b) and (c), 63.8 (e), (f)(4) and (6), and 63.9 (b) through (h) that apply to you by the dates specified.

(b) As specified in § 63.9(b)(2), if you startup your affected source before November 12, 2004, you must submit an Initial Notification not later than 120 days after November 12, 2004. The Initial Notification must include the information required in paragraphs (b)(1) and (2) of this section, as applicable.

(1) If your affected source has an annual capacity factor of greater than 10 percent, your Initial Notification must include the information required by § 63.9(b)(2).

(2) If your affected source has a federally enforceable permit that limits the annual capacity factor to less than or equal to 10 percent such that the unit is in one of the limited use subcategories (the limited use solid fuel subcategory, the limited use liquid fuel subcategory, or the limited use gaseous fuel subcategory), your Initial Notification must include the information required by § 63.9(b)(2) and also a signed statement indicating your affected source has a federally enforceable permit that limits the annual capacity factor to less than or equal to 10 percent.

(c) As specified in § 63.9(b)(4) and (b)(5), if you startup your new or reconstructed affected source on or after November 12, 2004, you must submit an Initial Notification not later than 15 days after the actual date of startup of the affected source.

(d) If you are required to conduct a performance test you must submit a Notification of Intent to conduct a performance test at least 30 days before the performance test is scheduled to begin.

(e) If you are required to conduct an initial compliance demonstration as specified in § 63.7530(a), you must submit a Notification of Compliance Sta-

tus according to § 63.9(h)(2)(ii). For each initial compliance demonstration, you must submit the Notification of Compliance Status, including all performance test results and fuel analyses, before the close of business on the 60th day following the completion of the performance test and/or other initial compliance demonstrations according to § 63.10(d)(2). The Notification of Compliance Status report must contain all the information specified in paragraphs (e)(1) through (9), as applicable.

(1) A description of the affected source(s) including identification of which subcategory the source is in, the capacity of the source, a description of the add-on controls used on the source description of the fuel(s) burned, and justification for the fuel(s) burned during the performance test.

(2) Summary of the results of all performance tests, fuel analyses, and calculations conducted to demonstrate initial compliance including all established operating limits.

(3) Identification of whether you are complying with the particulate matter emission limit or the alternative total selected metals emission limit.

(4) Identification of whether you plan to demonstrate compliance with each applicable emission limit through performance testing or fuel analysis.

(5) Identification of whether you plan to demonstrate compliance by emissions averaging.

(6) A signed certification that you have met all applicable emission limits and work practice standards.

(7) A summary of the carbon monoxide emissions monitoring data and the maximum carbon monoxide emission levels recorded during the performance test to show that you have met any applicable work practice standard in Table 1 to this subpart.

(8) If your new or reconstructed boiler or process heater is in one of the liquid fuel subcategories and burns only liquid fossil fuels other than residual oil either alone or in combination with gaseous fuels, you must submit a signed statement certifying this in your Notification of Compliance Status report.

(9) If you had a deviation from any emission limit or work practice standard, you must also submit a description of the deviation, the duration of the deviation, and the corrective action taken in the Notification of Compliance Status report.

§ 63.7550 What reports must I submit and when?

(a) You must submit each report in Table 9 to this subpart that applies to you.

(b) Unless the EPA Administrator has approved a different schedule for submission of reports under § 63.10(a), you must submit each report by the date in Table 9 to this subpart and according to the requirements in paragraphs (b)(1) through (5) of this section.

(1) The first compliance report must cover the period beginning on the compliance date that is specified for your affected source in § 63.7495 and ending on June 30 or December 31, whichever date is the first date that occurs at least 180 days after the compliance date that is specified for your source in § 63.7495.

(2) The first compliance report must be postmarked or delivered no later than July 31 or January 31, whichever date is the first date following the end of the first calendar half after the compliance date that is specified for your source in § 63.7495.

(3) Each subsequent compliance report must cover the semiannual reporting period from January 1 through June 30 or the semiannual reporting period from July 1 through December 31.

(4) Each subsequent compliance report must be postmarked or delivered no later than July 31 or January 31, whichever date is the first date following the end of the semiannual reporting period.

(5) For each affected source that is subject to permitting regulations pursuant to 40 CFR part 70 or 40 CFR part 71, and if the permitting authority has established dates for submitting semiannual reports pursuant to 40 CFR 70.6(a)(3)(iii)(A) or 40 CFR 71.6(a)(3)(iii)(A), you may submit the first and subsequent compliance reports according to the dates the permitting authority has established in-

stead of according to the dates in paragraphs (b)(1) through (4) of this section.

(c) The compliance report must contain the information required in paragraphs (c)(1) through (11) of this section.

(1) Company name and address.

(2) Statement by a responsible official with that official's name, title, and signature, certifying the truth, accuracy, and completeness of the content of the report.

(3) Date of report and beginning and ending dates of the reporting period.

(4) The total fuel use by each affected source subject to an emission limit, for each calendar month within the semiannual reporting period, including, but not limited to, a description of the fuel and the total fuel usage amount with units of measure.

(5) A summary of the results of the annual performance tests and documentation of any operating limits that were reestablished during this test, if applicable.

(6) A signed statement indicating that you burned no new types of fuel. Or, if you did burn a new type of fuel, you must submit the calculation of chlorine input, using Equation 5 of § 63.7530, that demonstrates that your source is still within its maximum chlorine input level established during the previous performance testing (for sources that demonstrate compliance through performance testing) or you must submit the calculation of HCl emission rate using Equation 9 of § 63.7530 that demonstrates that your source is still meeting the emission limit for HCl emissions (for boilers or process heaters that demonstrate compliance through fuel analysis). If you burned a new type of fuel, you must submit the calculation of TSM input, using Equation 6 of § 63.7530, that demonstrates that your source is still within its maximum TSM input level established during the previous performance testing (for sources that demonstrate compliance through performance testing), or you must submit the calculation of TSM emission rate using Equation 10 of § 63.7530 that demonstrates that your source is still meeting the emission limit for TSM emissions (for

boilers or process heaters that demonstrate compliance through fuel analysis). If you burned a new type of fuel, you must submit the calculation of mercury input, using Equation 7 of §63.7530, that demonstrates that your source is still within its maximum mercury input level established during the previous performance testing (for sources that demonstrate compliance through performance testing), or you must submit the calculation of mercury emission rate using Equation 11 of §63.7530 that demonstrates that your source is still meeting the emission limit for mercury emissions (for boilers or process heaters that demonstrate compliance through fuel analysis).

(7) If you wish to burn a new type of fuel and you can not demonstrate compliance with the maximum chlorine input operating limit using Equation 5 of §63.7530, the maximum TSM input operating limit using Equation 6 of §63.7530, or the maximum mercury input operating limit using Equation 7 of §63.7530, you must include in the compliance report a statement indicating the intent to conduct a new performance test within 60 days of starting to burn the new fuel.

(8) The hours of operation for each boiler and process heater that is subject to an emission limit for each calendar month within the semiannual reporting period. This requirement applies only to limited use boilers and process heaters.

(9) If you had a startup, shutdown, or malfunction during the reporting period and you took actions consistent with your SSMP, the compliance report must include the information in §63.10(d)(5)(i).

(10) If there are no deviations from any emission limits or operating limits in this subpart that apply to you, and there are no deviations from the requirements for work practice standards in this subpart, a statement that there were no deviations from the emission limits, operating limits, or work practice standards during the reporting period.

(11) If there were no periods during which the CMSs, including CEMS, COMS, and CPMS, were out of control as specified in §63.8(c)(7), a statement that there were no periods during

which the CMSs were out of control during the reporting period.

(d) For each deviation from an emission limit or operating limit in this subpart and for each deviation from the requirements for work practice standards in this subpart that occurs at an affected source where you are not using a CMS to comply with that emission limit, operating limit, or work practice standard, the compliance report must contain the information in paragraphs (c)(1) through (10) of this section and the information required in paragraphs (d)(1) through (4) of this section. This includes periods of startup, shutdown, and malfunction.

(1) The total operating time of each affected source during the reporting period.

(2) A description of the deviation and which emission limit, operating limit, or work practice standard from which you deviated.

(3) Information on the number, duration, and cause of deviations (including unknown cause), as applicable, and the corrective action taken.

(4) A copy of the test report if the annual performance test showed a deviation from the emission limit for particulate matter or the alternative TSM limit, a deviation from the HCl emission limit, or a deviation from the mercury emission limit.

(e) For each deviation from an emission limitation and operating limit or work practice standard in this subpart occurring at an affected source where you are using a CMS to comply with that emission limit, operating limit, or work practice standard, you must include the information in paragraphs (c)(1) through (10) of this section and the information required in paragraphs (e)(1) through (12) of this section. This includes periods of startup, shutdown, and malfunction and any deviations from your site-specific monitoring plan as required in §63.7505(d).

(1) The date and time that each malfunction started and stopped and description of the nature of the deviation (*i.e.*, what you deviated from).

(2) The date and time that each CMS was inoperative, except for zero (low-level) and high-level checks.

(3) The date, time, and duration that each CMS was out of control, including the information in § 63.8(c)(8).

(4) The date and time that each deviation started and stopped, and whether each deviation occurred during a period of startup, shutdown, or malfunction or during another period.

(5) A summary of the total duration of the deviation during the reporting period and the total duration as a percent of the total source operating time during that reporting period.

(6) A breakdown of the total duration of the deviations during the reporting period into those that are due to startup, shutdown, control equipment problems, process problems, other known causes, and other unknown causes.

(7) A summary of the total duration of CMSs downtime during the reporting period and the total duration of CMS downtime as a percent of the total source operating time during that reporting period.

(8) An identification of each parameter that was monitored at the affected source for which there was a deviation, including opacity, carbon monoxide, and operating parameters for wet scrubbers and other control devices.

(9) A brief description of the source for which there was a deviation.

(10) A brief description of each CMS for which there was a deviation.

(11) The date of the latest CMS certification or audit for the system for which there was a deviation.

(12) A description of any changes in CMSs, processes, or controls since the last reporting period for the source for which there was a deviation.

(f) Each affected source that has obtained a title V operating permit pursuant to 40 CFR part 70 or 40 CFR part 71 must report all deviations as defined in this subpart in the semiannual monitoring report required by 40 CFR 70.6(a)(3)(iii)(A) or 40 CFR 71.6(a)(3)(iii)(A). If an affected source submits a compliance report pursuant to Table 9 to this subpart along with, or as part of, the semiannual monitoring report required by 40 CFR 70.6(a)(3)(iii)(A) or 40 CFR 71.6(a)(3)(iii)(A), and the compliance report includes all required information concerning deviations from any emission limit, operating limit, or work

practice requirement in this subpart, submission of the compliance report satisfies any obligation to report the same deviations in the semiannual monitoring report. However, submission of a compliance report does not otherwise affect any obligation the affected source may have to report deviations from permit requirements to the permit authority.

(g) If you operate a new gaseous fuel unit that is subject to the work practice standard specified in Table 1 to this subpart, and you intend to use a fuel other than natural gas or equivalent to fire the affected unit, you must submit a notification of alternative fuel use within 48 hours of the declaration of a period of natural gas curtailment or supply interruption, as defined in § 63.7575. The notification must include the information specified in paragraphs (g)(1) through (5) of this section.

(1) Company name and address.

(2) Identification of the affected unit.

(3) Reason you are unable to use natural gas or equivalent fuel, including the date when the natural gas curtailment was declared or the natural gas supply interruption began.

(4) Type of alternative fuel that you intend to use.

(5) Dates when the alternative fuel use is expected to begin and end.

§ 63.7555 What records must I keep?

(a) You must keep records according to paragraphs (a)(1) through (3) of this section.

(1) A copy of each notification and report that you submitted to comply with this subpart, including all documentation supporting any Initial Notification or Notification of Compliance Status or semiannual compliance report that you submitted, according to the requirements in § 63.10(b)(2)(xiv).

(2) The records in § 63.6(e)(3)(iii) through (v) related to startup, shutdown, and malfunction.

(3) Records of performance tests, fuel analyses, or other compliance demonstrations, performance evaluations, and opacity observations as required in § 63.10(b)(2)(viii).

(b) For each CEMS, CPMS, and COMS, you must keep records according to paragraphs (b)(1) through (5) of this section.

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(1) Records described in § 63.10(b)(2)(vi) through (xi).

(2) Monitoring data for continuous opacity monitoring system during a performance evaluation as required in § 63.6(h)(7)(i) and (ii).

(3) Previous (*i.e.*, superseded) versions of the performance evaluation plan as required in § 63.8(d)(3).

(4) Request for alternatives to relative accuracy test for CEMS as required in § 63.8(f)(6)(i).

(5) Records of the date and time that each deviation started and stopped, and whether the deviation occurred during a period of startup, shutdown, or malfunction or during another period.

(c) You must keep the records required in Table 8 to this subpart including records of all monitoring data and calculated averages for applicable operating limits such as opacity, pressure drop, carbon monoxide, and pH to show continuous compliance with each emission limit, operating limit, and work practice standard that applies to you.

(d) For each boiler or process heater subject to an emission limit, you must also keep the records in paragraphs (d)(1) through (5) of this section.

(1) You must keep records of monthly fuel use by each boiler or process heater, including the type(s) of fuel and amount(s) used.

(2) You must keep records of monthly hours of operation by each boiler or process heater. This requirement applies only to limited-use boilers and process heaters.

(3) A copy of all calculations and supporting documentation of maximum chlorine fuel input, using Equation 5 of § 63.7530, that were done to demonstrate continuous compliance with the HCl emission limit, for sources that demonstrate compliance through performance testing. For sources that demonstrate compliance through fuel analysis, a copy of all calculations and supporting documentation of HCl emission rates, using Equation 9 of § 63.7530, that were done to demonstrate compliance with the HCl emission limit. Supporting documentation should include results of any fuel analyses and basis for the estimates of maximum chlorine fuel input or HCl emission rates. You can use the results from one fuel anal-

ysis for multiple boilers and process heaters provided they are all burning the same fuel type. However, you must calculate chlorine fuel input, or HCl emission rate, for each boiler and process heater.

(4) A copy of all calculations and supporting documentation of maximum TSM fuel input, using Equation 6 of § 63.7530, that were done to demonstrate continuous compliance with the TSM emission limit for sources that demonstrate compliance through performance testing. For sources that demonstrate compliance through fuel analysis, a copy of all calculations and supporting documentation of TSM emission rates, using Equation 10 of § 63.7530, that were done to demonstrate compliance with the TSM emission limit. Supporting documentation should include results of any fuel analyses and basis for the estimates of maximum TSM fuel input or TSM emission rates. You can use the results from one fuel analysis for multiple boilers and process heaters provided they are all burning the same fuel type. However, you must calculate TSM fuel input, or TSM emission rates, for each boiler and process heater.

(5) A copy of all calculations and supporting documentation of maximum mercury fuel input, using Equation 7 of § 63.7530, that were done to demonstrate continuous compliance with the mercury emission limit for sources that demonstrate compliance through performance testing. For sources that demonstrate compliance through fuel analysis, a copy of all calculations and supporting documentation of mercury emission rates, using Equation 11 of § 63.7530, that were done to demonstrate compliance with the mercury emission limit. Supporting documentation should include results of any fuel analyses and basis for the estimates of maximum mercury fuel input or mercury emission rates. You can use the results from one fuel analysis for multiple boilers and process heaters provided they are all burning the same fuel type. However, you must calculate mercury fuel input, or mercury emission rates, for each boiler and process heater.

(e) If your boiler or process heater is subject to an emission limit or work

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practice standard in Table 1 to this subpart and has a federally enforceable permit that limits the annual capacity factor to less than or equal to 10 percent such that the unit is in one of the limited use subcategories, you must keep the records in paragraphs (e)(1) and (2) of this section.

(1) A copy of the federally enforceable permit that limits the annual capacity factor of the source to less than or equal to 10 percent.

(2) Fuel use records for the days the boiler or process heater was operating.

§ 63.7560 In what form and how long must I keep my records?

(a) Your records must be in a form suitable and readily available for expeditious review, according to § 63.10(b)(1).

(b) As specified in § 63.10(b)(1), you must keep each record for 5 years following the date of each occurrence, measurement, maintenance, corrective action, report, or record.

(c) You must keep each record on site for at least 2 years after the date of each occurrence, measurement, maintenance, corrective action, report, or record, according to § 63.10(b)(1). You can keep the records off site for the remaining 3 years.

OTHER REQUIREMENTS AND INFORMATION

§ 63.7565 What parts of the General Provisions apply to me?

Table 10 to this subpart shows which parts of the General Provisions in §§ 63.1 through 63.15 apply to you.

§ 63.7570 Who implements and enforces this subpart?

(a) This subpart can be implemented and enforced by U.S. EPA, or a delegated authority such as your State, local, or tribal agency. If the EPA Administrator has delegated authority to your State, local, or tribal agency, then that agency (as well as the U.S. EPA) has the authority to implement and enforce this subpart. You should contact your EPA Regional Office to find out if this subpart is delegated to your State, local, or tribal agency.

(b) In delegating implementation and enforcement authority of this subpart to a State, local, or tribal agency

under 40 CFR part 63, subpart E, the authorities listed in paragraphs (b)(1) through (5) of this section are retained by the EPA Administrator and are not transferred to the State, local, or tribal agency, however, the U.S. EPA retains oversight of this subpart and can take enforcement actions, as appropriate.

(1) Approval of alternatives to the non-opacity emission limits and work practice standards in § 63.7500(a) and (b) under § 63.6(g).

(2) Approval of alternative opacity emission limits in § 63.7500(a) under § 63.6(h)(9).

(3) Approval of major change to test methods in Table 5 to this subpart under § 63.7(e)(2)(ii) and (f) and as defined in § 63.90.

(4) Approval of major change to monitoring under § 63.8(f) and as defined in § 63.90.

(5) Approval of major change to recordkeeping and reporting under § 63.10(f) and as defined in § 63.90.

§ 63.7575 What definitions apply to this subpart?

Terms used in this subpart are defined in the CAA, in § 63.2 (the General Provisions), and in this section as follows:

Annual capacity factor means the ratio between the actual heat input to a boiler or process heater from the fuels burned during a calendar year, and the potential heat input to the boiler or process heater had it been operated for 8,760 hours during a year at the maximum steady state design heat input capacity.

Bag leak detection system means an instrument that is capable of monitoring particulate matter loadings in the exhaust of a fabric filter (*i.e.*, baghouse) in order to detect bag failures. A bag leak detection system includes, but is not limited to, an instrument that operates on electrodynamic, triboelectric, light scattering, light transmittance, or other principle to monitor relative particulate matter loadings.

Biomass fuel means unadulterated wood as defined in this subpart, wood residue, and wood products (*e.g.*, trees, tree stumps, tree limbs, bark, lumber, sawdust, sanderdust, chips, scraps,

slabs, millings, and shavings); animal litter; vegetative agricultural and silvicultural materials, such as logging residues (slash), nut and grain hulls and chaff (e.g., almond, walnut, peanut, rice, and wheat), bagasse, orchard prunings, corn stalks, coffee bean hulls and grounds.

Blast furnace gas fuel-fired boiler or process heater means an industrial/commercial/institutional boiler or process heater that receives 90 percent or more of its total heat input (based on an annual average) from blast furnace gas.

Boiler means an enclosed device using controlled flame combustion and having the primary purpose of recovering thermal energy in the form of steam or hot water. Waste heat boilers are excluded from this definition.

Coal means all solid fuels classifiable as anthracite, bituminous, sub-bituminous, or lignite by the American Society for Testing and Materials in ASTM D388-99¹, "Standard Specification for Classification of Coals by Rank¹" (incorporated by reference, see § 63.14(b)), coal refuse, and petroleum coke. Synthetic fuels derived from coal for the purpose of creating useful heat including but not limited to, solvent-refined coal, coal-oil mixtures, and coal-water mixtures, for the purposes of this subpart. Coal derived gases are excluded from this definition.

Coal refuse means any by-product of coal mining or coal cleaning operations with an ash content greater than 50 percent (by weight) and a heating value less than 13,900 kilojoules per kilogram (6,000 Btu per pound) on a dry basis.

Commercial/institutional boiler means a boiler used in commercial establishments or institutional establishments such as medical centers, research centers, institutions of higher education, hotels, and laundries to provide electricity, steam, and/or hot water.

Construction/demolition material means waste building material that result from the construction or demolition operations on houses and commercial and industrial buildings.

Deviation. (1) Deviation means any instance in which an affected source subject to this subpart, or an owner or operator of such a source:

(i) Fails to meet any requirement or obligation established by this subpart

including, but not limited to, any emission limit, operating limit, or work practice standard;

(ii) Fails to meet any term or condition that is adopted to implement an applicable requirement in this subpart and that is included in the operating permit for any affected source required to obtain such a permit; or

(iii) Fails to meet any emission limit, operating limit, or work practice standard in this subpart during start-up, shutdown, or malfunction, regardless or whether or not such failure is permitted by this subpart.

(2) A deviation is not always a violation. The determination of whether a deviation constitutes a violation of the standard is up to the discretion of the entity responsible for enforcement of the standards.

Distillate oil means fuel oils, including recycled oils, that comply with the specifications for fuel oil numbers 1 and 2, as defined by the American Society for Testing and Materials in ASTM D396-02a, "Standard Specifications for Fuel Oils¹" (incorporated by reference, see § 63.14(b)).

Dry scrubber means an add-on air pollution control system that injects dry alkaline sorbent (dry injection) or sprays an alkaline sorbent (spray dryer) to react with and neutralize acid gas in the exhaust stream forming a dry powder material. Sorbent injection systems in fluidized bed boilers and process heaters are included in this definition.

Electric utility steam generating unit means a fossil fuel-fired combustion unit of more than 25 megawatts that serves a generator that produces electricity for sale. A fossil fuel-fired unit that cogenerates steam and electricity and supplies more than one-third of its potential electric output capacity and more than 25 megawatts electrical output to any utility power distribution system for sale is considered an electric utility steam generating unit.

Electrostatic precipitator means an add-on air pollution control device used to capture particulate matter by charging the particles using an electrostatic field, collecting the particles using a grounded collecting surface, and transporting the particles into a hopper.

Fabric filter means an add-on air pollution control device used to capture particulate matter by filtering gas streams through filter media, also known as a baghouse.

Federally enforceable means all limitations and conditions that are enforceable by the EPA Administrator, including the requirements of 40 CFR parts 60 and 61, requirements within any applicable State implementation plan, and any permit requirements established under 40 CFR 52.21 or under 40 CFR 51.18 and 40 CFR 51.24.

Firetube boiler means a boiler in which hot gases of combustion pass through the tubes and water contacts the outside surfaces of the tubes.

Fossil fuel means natural gas, petroleum, coal, and any form of solid, liquid, or gaseous fuel derived from such materials.

Fuel type means each category of fuels that share a common name or classification. Examples include, but are not limited to, bituminous coal, subbituminous coal, lignite, anthracite, biomass, construction/demolition material, salt water laden wood, creosote treated wood, tires, residual oil. Individual fuel types received from different suppliers are not considered new fuel types except for construction/demolition material.

Gaseous fuel includes, but is not limited to, natural gas, process gas, landfill gas, coal derived gas, refinery gas, and biogas. Blast furnace gas is exempted from this definition.

Heat input means heat derived from combustion of fuel in a boiler or process heater and does not include the heat input from preheated combustion air, recirculated flue gases, or exhaust gases from other sources such as gas turbines, internal combustion engines, kilns, etc.

Hot water heater means a closed vessel with a capacity of no more than 120 U.S. gallons in which water is heated by combustion of gaseous or liquid fuel and is withdrawn for use external to the vessel at pressures not exceeding 160 psig, including the apparatus by which the heat is generated and all controls and devices necessary to prevent water temperatures from exceeding 210 °F (99 °C).

Industrial boiler means a boiler used in manufacturing, processing, mining, and refining or any other industry to provide steam, hot water, and/or electricity.

Large gaseous fuel subcategory includes any watertube boiler or process heater that burns gaseous fuels not combined with any solid fuels, burns liquid fuel only during periods of gas curtailment or gas supply emergencies, has a rated capacity of greater than 10 MMBtu per hour heat input, and has an annual capacity factor of greater than 10 percent.

Large liquid fuel subcategory includes any watertube boiler or process heater that does not burn any solid fuel and burns any liquid fuel either alone or in combination with gaseous fuels, has a rated capacity of greater than 10 MMBtu per hour heat input, and has an annual capacity factor of greater than 10 percent. Large gaseous fuel boilers and process heaters that burn liquid fuel during periods of gas curtailment or gas supply emergencies are not included in this definition.

Large solid fuel subcategory includes any watertube boiler or process heater that burns any amount of solid fuel either alone or in combination with liquid or gaseous fuels, has a rated capacity of greater than 10 MMBtu per hour heat input, and has an annual capacity factor of greater than 10 percent.

Limited use gaseous fuel subcategory includes any watertube boiler or process heater that burns gaseous fuels not combined with any liquid or solid fuels, burns liquid fuel only during periods of gas curtailment or gas supply emergencies, has a rated capacity of greater than 10 MMBtu per hour heat input, and has a federally enforceable annual average capacity factor of equal to or less than 10 percent.

Limited use liquid fuel subcategory includes any watertube boiler or process heater that does not burn any solid fuel and burns any liquid fuel either alone or in combination with gaseous fuels, has a rated capacity of greater than 10 MMBtu per hour heat input, and has a federally enforceable annual average capacity factor of equal to or less than 10 percent. Limited use gaseous fuel boilers and process heaters that burn liquid fuel during periods of

gas curtailment or gas supply emergencies are not included in this definition.

Limited use solid fuel subcategory includes any watertube boiler or process heater that burns any amount of solid fuel either alone or in combination with liquid or gaseous fuels, has a rated capacity of greater than 10 MMBtu per hour heat input, and has a federally enforceable annual average capacity factor of equal to or less than 10 percent.

Liquid fossil fuel means petroleum, distillate oil, residual oil and any form of liquid fuel derived from such material.

Liquid fuel includes, but is not limited to, distillate oil, residual oil, waste oil, and process liquids.

Minimum pressure drop means 90 percent of the lowest test-run average pressure drop measured according to Table 7 to this subpart during the most recent performance test demonstrating compliance with the applicable emission limit.

Minimum scrubber effluent pH means 90 percent of the lowest test-run average effluent pH measured at the outlet of the wet scrubber according to Table 7 to this subpart during the most recent performance test demonstrating compliance with the applicable hydrogen chloride emission limit.

Minimum scrubber flow rate means 90 percent of the lowest test-run average flow rate measured according to Table 7 to this subpart during the most recent performance test demonstrating compliance with the applicable emission limit.

Minimum sorbent flow rate means 90 percent of the lowest test-run average sorbent (or activated carbon) flow rate measured according to Table 7 to this subpart during the most recent performance test demonstrating compliance with the applicable emission limits.

Minimum voltage or amperage means 90 percent of the lowest test-run average voltage or amperage to the electrostatic precipitator measured according to Table 7 to this subpart during the most recent performance test demonstrating compliance with the applicable emission limits.

Natural gas means:

(1) A naturally occurring mixture of hydrocarbon and nonhydrocarbon gases found in geologic formations beneath the earth's surface, of which the principal constituent is methane; or

(2) Liquid petroleum gas, as defined by the American Society for Testing and Materials in ASTM D1835-03a, "Standard Specification for Liquid Petroleum Gases" (incorporated by reference, see §63.14(b)).

Opacity means the degree to which emissions reduce the transmission of light and obscure the view of an object in the background.

Particulate matter means any finely divided solid or liquid material, other than uncombined water, as measured by the test methods specified under this subpart, or an alternative method.

Period of natural gas curtailment or supply interruption means a period of time during which the supply of natural gas to an affected facility is halted for reasons beyond the control of the facility. An increase in the cost or unit price of natural gas does not constitute a period of natural gas curtailment or supply interruption.

Process heater means an enclosed device using controlled flame, that is not a boiler, and the unit's primary purpose is to transfer heat indirectly to a process material (liquid, gas, or solid) or to a heat transfer material for use in a process unit, instead of generating steam. Process heaters are devices in which the combustion gases do not directly come into contact with process materials. Process heaters do not include units used for comfort heat or space heat, food preparation for on-site consumption, or autoclaves.

Residual oil means crude oil, and all fuel oil numbers 4, 5 and 6, as defined by the American Society for Testing and Materials in ASTM D396-02a, "Standard Specifications for Fuel Oils" (incorporated by reference, see §63.14(b)).

Responsible official means responsible official as defined in 40 CFR 70.2.

Small gaseous fuel subcategory includes any firetube boiler that burns gaseous fuels not combined with any solid fuels and burns liquid fuel only during periods of gas curtailment or gas supply emergencies, and any boiler or process heater that burns gaseous fuels not

combined with any solid fuels, burns liquid fuel only during periods of gas curtailment or gas supply emergencies, and has a rated capacity of less than or equal to 10 MMBtu per hour heat input.

Small liquid fuel subcategory includes any firetube boiler that does not burn any solid fuel and burns any liquid fuel either alone or in combination with gaseous fuels, and any boiler or process heater that does not burn any solid fuel and burns any liquid fuel either alone or in combination with gaseous fuels, and has a rated capacity of less than or equal to 10 MMBtu per hour heat input. Small gaseous fuel boilers and process heaters that burn liquid fuel during periods of gas curtailment or gas supply emergencies are not included in this definition.

Small solid fuel subcategory includes any firetube boiler that burns any amount of solid fuel either alone or in combination with liquid or gaseous fuels, and any other boiler or process heater that burns any amount of solid fuel either alone or in combination with liquid or gaseous fuels and has a rated capacity of less than or equal to 10 MMBtu per hour heat input.

Solid fuel includes, but is not limited to, coal, wood, biomass, tires, plastics, and other nonfossil solid materials.

Temporary boiler means any gaseous or liquid fuel boiler that is designed to, and is capable of, being carried or moved from one location to another. A temporary boiler that remains at a location for more than 180 consecutive days is no longer considered to be a temporary boiler. Any temporary boiler that replaces a temporary boiler at a location and is intended to perform the same or similar function will be included in calculating the consecutive time period.

Total selected metals means the combination of the following metallic

HAP: arsenic, beryllium, cadmium, chromium, lead, manganese, nickel and selenium.

Unadulterated wood means wood or wood products that have not been painted, pigment-stained, or pressure treated with compounds such as chromate copper arsenate, pentachlorophenol, and creosote. Plywood, particle board, oriented strand board, and other types of wood products bound by glues and resins are included in this definition.

Waste heat boiler means a device that recovers normally unused energy and converts it to usable heat. Waste heat boilers incorporating duct or supplemental burners that are designed to supply 50 percent or more of the total rated heat input capacity of the waste heat boiler are not considered waste heat boilers, but are considered boilers. Waste heat boilers are also referred to as heat recovery steam generators.

Watertube boiler means a boiler in which water passes through the tubes and hot gases of combustion pass over the outside surfaces of the tubes.

Wet scrubber means any add-on air pollution control device that mixes an aqueous stream or slurry with the exhaust gases from a boiler or process heater to control emissions of particulate matter and/or to absorb and neutralize acid gases, such as hydrogen chloride.

Work practice standard means any design, equipment, work practice, or operational standard, or combination thereof, that is promulgated pursuant to section 112(h) of the CAA.

TABLES TO SUBPART DDDDD OF PART 63

TABLE 1 TO SUBPART DDDDD OF PART 63.—EMISSION LIMITS AND WORK PRACTICE STANDARDS

As stated in §63.7500, you must comply with the following applicable emission limits and work practice standards:

If your boiler or process heater is in this subcategory . . .	For the following pollutants . . .	You must meet the following emission limits and work practice standards . . .
1. New or reconstructed large solid fuel ...	a. Particulate Matter (or Total Selected Metals) b. Hydrogen Chloride c. Mercury d. Carbon Monoxide	0.025 lb per MMBtu of heat input; or (0.0003 lb per MMBtu of heat input). 0.02 lb per MMBtu of heat input. 0.000003 lb per MMBtu of heat input. 400 ppm by volume on a dry basis corrected to 7 percent oxygen (30-day rolling average for units 100 MMBtu/hr or greater, 3-run average for units less than 100 MMBtu/hr).

As stated in § 63.7500, you must comply with the following applicable emission limits and work practice standards:

If your boiler or process heater is in this subcategory . . .	For the following pollutants . . .	You must meet the following emission limits and work practice standards . . .
2. New or reconstructed limited use solid fuel.	a. Particulate Matter (or Total Selected Metals). b. Hydrogen Chloride c. Mercury d. Carbon Monoxide	0.025 lb per MMBtu of heat input; or (0.0003 lb per MMBtu of heat input). 0.02 lb per MMBtu of heat input. 0.000003 lb per MMBtu of heat input. 400 ppm by volume on a dry basis corrected to 7 percent oxygen (3-run average).
3. New or reconstructed small solid fuel ...	a. Particulate Matter (or Total Selected Metals). b. Hydrogen Chloride c. Mercury	0.025 lb per MMBtu of heat input; or (0.0003 lb per MMBtu of heat input). 0.02 lb per MMBtu of heat input. 0.000003 lb per MMBtu of heat input.
4. New reconstructed large liquid fuel	a. Particulate Matter b. Hydrogen Chloride c. Carbon Monoxide	0.03 lb per MMBtu of heat input. 0.0005 lb per MMBtu of heat input. 400 ppm by volume on a dry basis corrected to 3 percent oxygen (30-day rolling average for units 100 MMBtu/hr or greater, 3-run average for units less than 100 MMBtu/hr).
5. New or reconstructed limited use liquid fuel.	a. Particulate Matter b. Hydrogen Chloride c. Carbon Monoxide	0.03 lb per MMBtu of heat input. 0.0009 lb per MMBtu of heat input. 400 ppm by volume on a dry basis liquid corrected to 3 percent oxygen (3-run average).
6. New or reconstructed small liquid fuel ..	a. Particulate Matter b. Hydrogen Chloride	0.03 lb per MMBtu of heat input. 0.0009 lb per MMBtu of heat input.
7. New reconstructed large gaseous fuel	Carbon Monoxide	400 ppm by volume on a dry basis corrected to 3 percent oxygen (30-day rolling average for units 100 MMBtu/hr or greater, 3-run average for units less than 100 MMBtu/hr).
8. New or reconstructed limited use gaseous fuel.	Carbon Monoxide	400 ppm by volume on a dry basis corrected to 3 percent oxygen (3-run average).
9. Existing large solid fuel	a. Particulate Matter (or Total Selected Metals). b. Hydrogen Chloride c. Mercury	0.07 lb per MMBtu of heat input; or (0.001 lb per MMBtu of heat input). 0.09 lb per MMBtu of heat input. 0.000009 lb per MMBtu of heat input.
10. Existing limited use solid fuel	Particulate Matter (or Total Selected Metals).	0.21 lb per MMBtu of heat input; or (0.004 lb per MMBtu of heat input).

TABLE 2 TO SUBPART DDDDD OF PART 63.—OPERATING LIMITS FOR BOILERS AND PROCESS HEATERS WITH PARTICULATE MATTER EMISSION LIMITS

As stated in § 63.7500, you must comply with the applicable operating limits:

If you demonstrate compliance with applicable particulate matter emission limits using . . .	You must meet these operating limits . . .
1. Wet scrubber control	a. Maintain the minimum pressure drop and liquid flow-rate at or above the operating levels established during the performance test according to § 63.7530(c) and Table 7 to this subpart that demonstrated compliance with the applicable emission limit for particulate matter.
2. Fabric filter control	a. Install and operate a bag leak detection system according to § 63.7525 and operate the fabric filter such that the bag leak detection system alarm does not sound more than 5 percent of the operating time during each 6-month period; or b. This option is for boilers and process heaters that operate dry control systems. Existing boilers and process heaters must maintain opacity to less than or equal to 20 percent (8-minute average) except for one 6-minute period per hour of not more than 27 percent. New boilers and process heaters must maintain opacity to less than or equal to 10 percent opacity (1-hour block average).

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As stated in §63.7500, you must comply with the applicable operating limits:

If you demonstrate compliance with applicable particulate matter emission limits using . . .	You must meet these operating limits . . .
3. Electrostatic precipitator control	<p>a. This option is for boilers and process heaters that operate dry control systems. Existing boilers and process heaters must maintain opacity to less than or equal to 20 percent (6-minute average) except for one 6-minute period per hour of not more than 27 percent. New boilers and process heaters must maintain opacity to less than or equal to 10 percent opacity (1-hour block average); or</p> <p>b. This option is only for boilers and process heaters that operate additional wet control systems. Maintain the minimum voltage and secondary current or total power input of the electrostatic precipitator at or above the operating limits established during the performance test according to §63.7530(c) and Table 7 to this subpart that demonstrated compliance with the applicable emission limit for particulate matter.</p>
4. Any other control type	<p>This option is for boilers and process heaters that operate dry control systems. Existing boilers and process heaters must maintain opacity to less than or equal to 20 percent (6-minute average) except for one 6-minute period per hour of not more than 27 percent. New boilers and process heaters must maintain opacity to less than or equal to 10 percent opacity (1-hour block average).</p>

TABLE 3 TO SUBPART DDDDD OF PART 63.—OPERATING LIMITS FOR BOILERS AND PROCESS HEATERS WITH MERCURY EMISSION LIMITS AND BOILERS AND PROCESS HEATERS THAT CHOOSE TO COMPLY WITH THE ALTERNATIVE TOTAL SELECTED METALS EMISSION LIMITS

As stated in §63.7500, you must comply with the applicable operating limits:

If you demonstrate compliance with applicable mercury and/or total selected metals emission limits using . . .	You must meet these operating limits . . .
1. Wet scrubber control	<p>Maintain the minimum pressure drop and liquid flow-rate at or above the operating levels established during the performance test according to §63.7530(c) and Table 7 to this subpart that demonstrated compliance with the applicable emission limits for mercury and/or total selected metals.</p>
2. Fabric filter control	<p>a. Install and operate a bag leak detection system according to §63.7525 and operate the fabric filter such that the bag leak detection system alarm does not sound more than 5 percent of the operating time during a 6-month period; or</p> <p>b. This option is for boilers and process heaters that operate dry control systems. Existing sources must maintain opacity to less than or equal to 20 percent (6-minute average) except for one 6-minute period per hour of not more than 27 percent. New sources must maintain opacity to less than or equal to 10 percent opacity (1-hour block average).</p>
3. Electrostatic precipitator control	<p>a. This option is for boilers and process heaters that operate dry control systems. Existing sources must maintain opacity to less than or equal to 20 percent (6-minute average) except for one 6-minute period per hour of not more than 27 percent. New sources must maintain opacity to less than or equal to 10 percent opacity (1-hour block average); or</p> <p>b. This option is only for boilers and process heaters that operate additional wet control systems. Maintain the minimum voltage and secondary current or total power input of the electrostatic precipitator at or above the operating limits established during the performance test according to §63.7530(c) and Table 7 to this subpart that demonstrated compliance with the applicable emission limits for mercury and/or total selected metals.</p>

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As stated in § 63.7500, you must comply with the applicable operating limits:

If you demonstrate compliance with applicable mercury and/or total selected metals emission limits using . . .	You must meet these operating limits . . .
4. Dry scrubber or carbon injection control	Maintain the minimum sorbent or carbon injection rate at or above the operating levels established during the performance test according to § 63.7530(c) and Table 7 to this subpart that demonstrated compliance with the applicable emission limit for mercury.
5. Any other control type	This option is only for boilers and process heaters that operate dry control systems. Existing sources must maintain opacity to less than or equal to 20 percent (6-minute average) except for one 6-minute period per hour of not more than 27 percent. New sources must maintain opacity to less than or equal to 10 percent opacity (1-hour block average).
6. Fuel analysis	Maintain the fuel type or fuel mixture such that the mercury and/or total selected metals emission rates calculated according to § 63.7530(d)(4) and/or (5) is less than the applicable emission limits for mercury and/or total selected metals.

TABLE 4 TO SUBPART DDDDD OF PART 63.—OPERATING LIMITS FOR BOILERS AND PROCESS HEATERS WITH HYDROGEN CHLORIDE EMISSION LIMITS

As stated in § 63.7500, you must comply with the following applicable operating limits:

If you demonstrate compliance with applicable hydrogen chloride emission limits using . . .	You must meet these operating limits . . .
1. Wet scrubber control	Maintain the minimum scrubber effluent pH, pressure drop, and liquid flow-rate at or above the operating levels established during the performance test according to § 63.7530(c) and Table 7 to this subpart that demonstrated compliance with the applicable emission limit for hydrogen chloride.
2. Dry scrubber control	Maintain the minimum sorbent injection rate at or above the operating levels established during the performance test according to § 63.7530(c) and Table 7 to this subpart that demonstrated compliance with the applicable emission limit for hydrogen chloride.
3. Fuel analysis	Maintain the fuel type or fuel mixture such that the hydrogen chloride emission rate calculated according to § 63.7530(d)(3) is less than the applicable emission limit for hydrogen chloride.

TABLE 5 TO SUBPART DDDDD OF PART 63.—PERFORMANCE TESTING REQUIREMENTS

As stated in § 63.7520, you must comply with the following requirements for performance test for existing, new or reconstructed affected sources:

To conduct a performance test for the following pollutant . . .	You must . . .	Using . . .
1. Particulate Matter	a. Select sampling ports location and the number of traverse points. b. Determine velocity and volumetric flow-rate of the stack gas. c. Determine oxygen and carbon dioxide concentrations of the stack gas. d. Measure the moisture content of the stack gas. e. Measure the particulate matter emission concentration. f. Convert emissions concentration to lb per MMBtu emission rates.	Method 1 in appendix A to part 60 of this chapter. Method 2, 2F, or 2G in appendix A to part 60 of this chapter. Method 3A or 3B in appendix A to part 60 of this chapter, or ASME PTC 19, Part 10 (1981) (IBR, see § 63.14(j)). Method 4 in appendix A to part 60 of this chapter. Method 5 or 17 (positive pressure fabric filters must use Method 5D) in appendix A to part 60 of this chapter. Method 19 F-factor methodology in appendix A to part 60 of this chapter.

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As stated in § 63.7520, you must comply with the following requirements for performance test for existing, new or reconstructed affected sources:

To conduct a performance test for the following pollutant	You must	Using
2. Total selected metals	a. Select sampling ports location and the number of traverse points. b. Determine velocity and volumetric flow-rate of the stack gas. c. Determine oxygen and carbon dioxide concentrations of the stack gas. d. Measure the moisture content of the stack gas. e. Measure the total selected metals emission concentration. f. Convert emissions concentration to lb per MMBtu emission rates.	Method 1 in appendix A to part 60 of this chapter. Method 2, 2F, or 2G in appendix A to part 60 of this chapter. Method 3A or 3B in appendix A to part 60 of this chapter, or ASME PTC 19, Part 10 (1981) (IBR, see § 63.14(i)). Method 4 in appendix A to part 60 of this chapter. Method 29 in appendix A to part 60 of this chapter. Method 19 F-factor methodology in appendix A to part 60 of this chapter.
3. Hydrogen chloride	a. Select sampling ports location and the number of traverse points. b. Determine velocity and volumetric flow-rate of the stack gas. c. Determine oxygen and carbon dioxide concentrations of the stack gas. d. Measure the moisture content of the stack gas. e. Measure the hydrogen chloride emission concentration. f. Convert emissions concentration to lb per MMBtu emission rates.	Method 1 in appendix A to part 60 of this chapter. Method 2, 2F, or 2G in appendix A to part 60 of this chapter. Method 3A or 3B in appendix A to part 60 of this chapter, or ASME PTC 19, Part 10 (1981) (IBR, see § 63.14(i)). Method 4 in appendix A to part 60 of this chapter. Method 26 or 26A in appendix A to part 60 of this chapter. Method 19 F-factor methodology in appendix A to part 60 of this chapter.
4. Mercury	a. Select sampling ports location and the number of traverse points. b. Determine velocity and volumetric flow-rate of the stack gas. c. Determine oxygen and carbon dioxide concentrations of the stack gas. d. Measure the moisture content of the stack gas. e. Measure the mercury emission concentration. f. Convert emissions concentration to lb per MMBtu emission rates.	Method 1 in appendix A to part 60 of this chapter. Method 2, 2F, or 2G in appendix A to part 60 of this chapter. Method 3A or 3B in appendix A to part 60 of this chapter, or ASME PTC 19, Part 10 (1981) (IBR, see § 63.14(i)). Method 4 in appendix A to part 60 of this chapter. Method 29 in appendix A to part 60 of this chapter or Method 101A in appendix B to part 61 of this chapter or ASTM Method D6784-02 (IBR, see § 63.14(b)). Method 19 F-factor methodology in appendix A to part 60 of this chapter.
5. Carbon Monoxide	a. Select the sampling ports location and the number of traverse points. b. Determine oxygen and carbon dioxide concentrations of the stack gas. c. Measure the moisture content of the stack gas. d. Measure the carbon monoxide emission concentration.	Method 1 in appendix A to part 60 of this chapter. Method 3A or 3B in appendix A to part 60 of this chapter, or ASTM D6522-00 (IBR, see § 63.14(b)), or ASME PTC 19, Part 10 (1981) (IBR, see § 63.14(i)). Method 4 in appendix A to part 60 of this chapter. Method 10, 10A, or 10B in appendix A to part 60 of this chapter, or ASTM D6522-00 (IBR, see § 63.14(b)) when the fuel is natural gas.

TABLE 6 TO SUBPART DDDDD OF PART 63.—FUEL ANALYSIS REQUIREMENTS

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As stated in § 63.7521, you must comply with the following requirements for fuel analysis testing for existing, new or reconstructed affected sources:

To conduct a fuel analysis for the following pollutant . . .	You must . . .	Using . . .
1. Mercury	<p>a. Collect fuel samples</p> <p>b. Composite fuel samples</p> <p>c. Prepare composited fuel samples</p> <p>d. Determine heat content of the fuel type.</p> <p>e. Determine moisture content of the fuel type.</p> <p>f. Measure mercury concentration in fuel sample.</p> <p>g. Convert concentrations into units of pounds of pollutant per MMBtu of heat content.</p>	<p>Procedure in § 63.7521(c) or ASTM D2234-00*1 (for coal)(IBR, see § 63.14(b)) or ASTM D6323-98 (2003)(for biomass)(IBR, see § 63.14(b)) or equivalent.</p> <p>Procedure in § 63.7521(d) or equivalent. SW-846-3050B (for solid samples) or SW-846-3020A (for liquid samples) or ASTM D2013-01 (for coal) (IBR, see § 63.14(b)) or ASTM D5198-92 (2003) (for biomass)(IBR, see § 63.14(b)) or equivalent.</p> <p>ASTM D5865-03a (for coal)(IBR, see § 63.14(b)) or ASTM E711-87 (1996) (for biomass)(IBR, see § 63.14(b)) or equivalent.</p> <p>ASTM D3173-02 (IBR, see § 63.14(b)) or ASTM E871-82 (1998)(IBR, see § 63.14(b)) or equivalent.</p> <p>ASTM D3684-01 (for coal)(IBR, see § 63.14(b)) or SW-846-7471A (for solid samples) or SW-846 7470A (for liquid samples).</p>
2. Total selected metals	<p>a. Collect fuel samples</p> <p>b. Composite fuel samples</p> <p>c. Prepare composited fuel samples</p> <p>d. Determine heat content of the fuel type.</p> <p>e. Determine moisture content of the fuel type.</p> <p>f. Measure total selected metals concentration in fuel sample.</p> <p>g. Convert concentrations into units of pounds of pollutant per MMBtu of heat content.</p>	<p>Procedure in § 63.7521(c) or ASTM D2234-00*1 (for coal)(IBR, see § 63.14(b)) or ASTM D6323-98 (2003) (for biomass)(IBR, see § 63.14(b)) or equivalent.</p> <p>Procedure in § 63.7521(d) or equivalent. SW-846-3050B (for solid samples) or SW-846-3020A (for liquid samples) or ASTM D2013-01 (for coal)(IBR, see § 63.14(b)) or ASTM D5198-92 (2003)(for biomass)(IBR, see § 63.14(b)) or equivalent.</p> <p>ASTM D5865-03a (for coal)(IBR, see § 63.14(b)) or ASTM E 711-87 (for biomass)(IBR, see § 63.14(b)) or equivalent.</p> <p>ASTM D3173-02 (IBR, see § 63.14(b)) or ASTM E871 (IBR, see § 63.14(b)) or equivalent.</p> <p>SW-846-6010B or ASTM D3683-94 (2000) (for coal) (IBR, see § 63.14(b)) or ASTM E885-88 (1996) (for biomass)(IBR, see § 63.14(b)).</p>
3. Hydrogen chloride	<p>a. Collect fuel samples</p> <p>b. Composite fuel samples</p> <p>c. Prepare composited fuel samples</p> <p>d. Determine heat content of the fuel type.</p>	<p>Procedure in § 63.7521(c) or ASTM D2234*1 (for coal)(IBR, see § 63.14(b)) or ASTM D6323-98 (2003) (for biomass)(IBR, see § 63.14(b)) or equivalent.</p> <p>Procedure in § 63.7521(d) or equivalent. SW-846-3050B (for solid samples) or SW-846-3020A (for liquid samples) or ASTM D2013-01 (for coal)(IBR, see § 63.14(b)) or ASTM D5198-92 (2003) (for biomass)(IBR, see § 63.14(b)) or equivalent.</p> <p>ASTM D5865-03a (for coal)(IBR, see § 63.14(b)) or ASTM E711-87 (1996) (for biomass)(IBR, see § 63.14(b)) or equivalent.</p>

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As stated in § 63.7521, you must comply with the following requirements for fuel analysis testing for existing, new or reconstructed affected sources:

To conduct a fuel analysis for the following pollutant . . .	You must . . .	Using . . .
	e. Determine moisture content of the fuel type. f. Measure chlorine concentration in fuel sample. g. Convert concentrations into units of pounds of pollutant per MMBtu of heat content.	ASTM D3173-02 (IBR, see § 63.14(b)) or ASTM E871-82 (1998)(IBR, see § 63.14(b)) or equivalent. SW-846-9250 or ASTM E776-87 (1996) (for biomass)(IBR, see § 63.14(b)) or equivalent.

TABLE 7 TO SUBPART DDDDD OF PART 63.—ESTABLISHING OPERATING LIMITS

As stated in § 63.7520, you must comply with the following requirements for establishing operating limits:

If you have an applicable emission limit for	And your operating limits are based on	You must	Using	According to the following requirements
1. Particulate matter, mercury, or total selected metals.	a. Wet scrubber operating parameters. b. Electrostatic precipitator operating parameters (option only for units with additional wet scrubber control).	i. Establish a site-specific minimum pressure drop and minimum flow rate operating limit according to § 63.7530(c). ii. Establish a site-specific minimum voltage and secondary current or total power input according to § 63.7530(c).	(1) Data from the pressure drop and liquid flow rate monitors and the particulate matter, mercury, or total selected metals performance test. (1) Data from the pressure drop and liquid flow rate monitors and the particulate matter, mercury, or total selected metals performance test.	(a) You must collect pressure drop and liquid flow-rate data every 15 minutes during the entire period of the performance tests; (b) Determine the average pressure drop and liquid flow-rate for each individual test run in the three-run performance test by computing the average of all the 15-minute readings taken during each test run. (a) You must collect voltage and secondary current or total power input data every 15 minutes during the entire period of the performance tests; (b) Determine the average voltage and secondary current or total power input for each individual test run in the three-run performance test by computing the average of all the 15-minute readings taken during each test run.
2. Hydrogen Chloride	a. Wet scrubber operating parameters. b. Dry scrubber operating parameters.	i. Establish a site-specific minimum pressure drop and minimum flow rate operating limit according to § 63.7530(c). ii. Establish a site-specific minimum sorbent injection rate operating limit according to § 63.7530(c).	(1) Data from the pH, pressure drop, and liquid flow-rate monitors and the hydrogen chloride performance test. (1) Data from the sorbent injection rate monitors and hydrogen chloride performance test.	(a) You must collect pH, pressure drop, and liquid flow-rate data every 15 minutes during the entire period of the performance tests; (b) Determine the average pH, pressure drop, and liquid flow-rate for each individual test run in the three-run performance test by computing the average of all the 15-minute readings taken during each test run. (a) You must collect sorbent injection rate data every 15 minutes during the entire period of the performance tests; (b) Determine the average sorbent injection rate for each individual test run in the three-run performance test by computing the average of all the 15-minute readings taken during each test run.

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TABLE 8 TO SUBPART DDDDD OF PART 63.—DEMONSTRATING CONTINUOUS COMPLIANCE

As stated in § 63.7540, you must show continuous compliance with the emission limitations for affected sources according to the following:

If you must meet the following operating limits or work practice standards . . .	You must demonstrate continuous compliance by . . .
1. Opacity	a. Collecting the opacity monitoring system data according to §§ 63.7525(b) and 63.7535; and b. Reducing the opacity monitoring data to 6-minute averages; and c. Maintaining opacity to less than or equal to 20 percent (6-minute average) except for one 6-minute period per hour of not more than 27 percent for existing sources; or maintaining opacity to less than or equal to 10 percent (1-hour block average) for new sources.
2. Fabric Filter Bag Leak Detection Operation	Installing and operating a bag leak detection system according to § 63.7525 and operating the fabric filter such that the requirements in § 63.7540(a)(9) are met.
3. Wet Scrubber Pressure Drop and Liquid Flow-rate	a. Collecting the pressure drop and liquid flow rate monitoring system data according to §§ 63.7525 and 63.7535; and b. Reducing the data to 3-hour block averages; and c. Maintaining the 3-hour average pressure drop and liquid flow-rate at or above the operating limits established during the performance test according to § 63.7530(c).
4. Wet Scrubber pH	a. Collecting the pH monitoring system data according to §§ 63.7525 and 63.7535; and b. Reducing the data to 3-hour block averages; and c. Maintaining the 3-hour average pH at or above the operating limit established during the performance test according to § 63.7530(c).
5. Dry Scrubber Sorbent or Carbon Injection Rate	a. Collecting the sorbent or carbon injection rate monitoring system data for the dry scrubber according to §§ 63.7525 and 63.7535; and b. Reducing the data to 3-hour block averages; and c. Maintaining the 3-hour average sorbent or carbon injection rate at or above the operating limit established during the performance test according to §§ 63.7530(c).
6. Electrostatic Precipitator Secondary Current and Voltage or Total Power Input.	a. Collecting the secondary current and voltage or total power input monitoring system data for the electrostatic precipitator according to §§ 63.7525 and 63.7535; and b. Reducing the data to 3-hour block averages; and c. Maintaining the 3-hour average secondary current and voltage or total power input at or above the operating limits established during the performance test according to §§ 63.7530(c).
7. Fuel Pollutant Content	a. Only burning the fuel types and fuel mixtures used to demonstrate compliance with the applicable emission limit according to § 63.7530(c) or (d) as applicable; and b. Keeping monthly records of fuel use according to § 63.7540(a).

TABLE 9 TO SUBPART DDDDD OF PART 63.—REPORTING REQUIREMENTS

As stated in § 63.7550, you must comply with the following requirements for reports:

You must submit a(n)	The report must contain . . .	You must submit the report . . .
1. Compliance report	a. Information required in § 63.7550(c)(1) through (11); and	Semiannually according to the requirements in § 63.7550(b).

As stated in § 63.7550, you must comply with the following requirements for reports:

You must submit a(n)	The report must contain . . .	You must submit the report . . .
<p>2. An immediate startup, shutdown, and malfunction report if you had a startup, shutdown, or malfunction during the reporting period that is not consistent with your startup, shutdown, and malfunction plan, and the source exceeds any applicable emission limitation in the relevant emission standard.</p>	<p>b. If there are no deviations from any emission limitation (emission limit and operating limit) that applies to you and there are no deviations from the requirements for work practice standards in Table 8 to this subpart that apply to you, a statement that there were no deviations from the emission limitations and work practice standards during the reporting period. If there were no periods during which the CMSs, including continuous emissions monitoring system, continuous opacity monitoring system, and operating parameter monitoring systems, were out-of-control as specified in § 63.8(c)(7), a statement that there were no periods during which the CMSs were out-of-control during the reporting period; and</p> <p>c. If you have a deviation from any emission limitation (emission limit and operating limit) or work practice standard during the reporting period, the report must contain the information in § 63.7550(d). If there were periods during which the CMSs, including continuous emissions monitoring system, continuous opacity monitoring system, and operating parameter monitoring systems, were out-of-control, as specified in § 63.8(c)(7), the report must contain the information in § 63.7550(e); and</p> <p>d. If you had a startup, shutdown, or malfunction during the reporting period and you took actions consistent with your startup, shutdown, and malfunction plan, the compliance report must include the information in § 63.10(d)(5)(i)</p> <p>a. Actions taken for the event; and</p> <p>b. The information in § 63.10(d)(5)(ii)</p>	<p>i. By fax or telephone within 2 working days after starting actions inconsistent with the plan; and</p> <p>ii. By letter within 7 working days after the end of the event unless you have made alternative arrangements with the permitting authority.</p>

TABLE 10 TO SUBPART DDDDD OF PART 63.—APPLICABILITY OF GENERAL PROVISIONS TO SUBPART DDDDD

As stated in § 63.7565, you must comply with the applicable General Provisions according to the following:

Citation	Subject	Brief description	Applicable
§ 63.1	Applicability	Initial Applicability Determination; Applicability After Standard Established; Permit Requirements; Extensions, Notifications.	Yes.
§ 63.2	Definitions	Definitions for part 63 standards	Yes.
§ 63.3	Units and Abbreviations	Units and abbreviations for part 63 standards	Yes.
§ 63.4	Prohibited Activities	Prohibited Activities; Compliance date; Circumvention, Severability.	Yes.
§ 63.5	Construction/Reconstruction	Applicability; applications; approvals	Yes.
§ 63.6(a)	Applicability	GP apply unless compliance extension; and GP apply to area sources that become major.	Yes.
§ 63.6(b)(1)-(4)	Compliance Dates for New and Reconstructed sources	Standards apply at effective date; 3 years after effective date; upon startup; 10 years after construction or reconstruction commences for 112(f).	Yes.
§ 63.6(b)(5)	Notification	Must notify if commenced construction or reconstruction after proposal.	Yes.
§ 63.6(b)(6)	[Reserved]		
§ 63.6(b)(7)	Compliance Dates for New and Reconstructed Area Sources That Become Major.	Area sources that become major must comply with major source standards immediately upon becoming major, regardless of whether required to comply when they were an area source.	Yes.
§ 63.6(c)(1)-(2)	Compliance Dates for Existing Sources	Comply according to date in subpart, which must be no later than 3 years after effective date; and for 112(f) standards, comply within 90 days of effective date unless compliance extension.	Yes.
§ 63.6(c)(3)-(4)	[Reserved]		
§ 63.6(c)(5)	Compliance Dates for Existing Area Sources That Become Major.	Area sources that become major must comply with major source standards by date indicated in subpart or by equivalent time period (for example, 3 years).	Yes.
§ 63.6(d)	[Reserved]		
§ 63.6(e)(1)-(2)	Operation & Maintenance	Operate to minimize emissions at all times; and Correct malfunctions as soon as practicable; and Operation and maintenance requirements independently enforceable; information Administrator will use to determine if operation and maintenance requirements were met.	Yes.
§ 63.6(e)(3)	Startup, Shutdown, and Malfunction Plan (SSMP)	Requirement for SSM and startup, shutdown, malfunction plan; and content of SSMP.	Yes.
§ 63.6(f)(1)	Compliance Except During SSM	Comply with emission standards at all times except during SSM.	Yes.
§ 63.6(f)(2)-(3)	Methods for Determining Compliance	Compliance based on performance test, operation and maintenance plans, records, inspection.	Yes.
§ 63.6(g)(1)-(3)	Alternative Standard	Procedures for getting an alternative standard	Yes.
§ 63.6(h)(1)	Compliance with Opacity/VE Standards	Comply with opacity/VE emission limitations at all times except during SSM.	Yes.
§ 63.6(h)(2)(i)	Determining Compliance with Opacity/Visible Emission (VE) Standards.	If standard does not state test method, use Method 9 for opacity and Method 22 for VE.	No.

As stated in § 63.7565, you must comply with the applicable General Provisions according to the following:

Citation	Subject	Brief description	Applicable
§ 63.6(h)(2)(i)	[Reserved]		
§ 63.6(h)(2)(iii)	Using Previous Tests to Demonstrate Compliance with Opacity/VE Standards	Criteria for when previous opacity/VE testing can be used to show compliance with this subpart.	Yes.
§ 63.6(h)(3)	[Reserved]		
§ 63.6(h)(4)	Notification of Opacity/VE Observation Date	Notify Administrator of anticipated date of observation	No.
§ 63.6(h)(5)(i),(iii)-(v)	Conducting Opacity/VE Observations	Dates and Schedule for conducting opacity/VE observations.	No.
§ 63.6(h)(5)(ii)	Opacity Test Duration and Averaging Times	Must have at least 3 hours of observation with thirty, 6-minute averages.	No.
§ 63.6(h)(6)	Records of Conditions During Opacity/VE observations	Keep records available and allow Administrator to inspect.	No.
§ 63.6(h)(7)(i)	Report continuous opacity monitoring system Monitoring Data from Performance Test.	Submit continuous opacity monitoring system data with other performance test data.	Yes.
§ 63.6(h)(7)(ii)	Using continuous opacity monitoring system instead of Method 9.	Can submit continuous opacity monitoring system data instead of Method 9 results even if subpart requires Method 9, but must notify Administrator before performance test.	No.
§ 63.6(h)(7)(iii)	Averaging time for continuous opacity monitoring system during performance test.	To determine compliance, must reduce continuous opacity monitoring system data to 6-minute averages.	Yes.
§ 63.6(h)(7)(iv)	Continuous opacity monitoring system requirements	Demonstrate that continuous opacity monitoring system performance evaluations are conducted according to §§ 63.8(e), continuous opacity monitoring systems are properly maintained and operated according to § 63.8(c) and data quality as § 63.8(d).	Yes.
§ 63.6(h)(7)(v)	Determining Compliance with Opacity/VE Standards ...	Continuous opacity monitoring system is probative but not conclusive evidence of compliance with opacity standard, even if Method 9 observation shows otherwise. Requirements for continuous opacity monitoring system to be probative evidence-proper maintenance, meeting PS 1, and data have not been altered.	Yes.
§ 63.6(h)(8)	Determining Compliance with Opacity/VE Standards ...	Administrator will use all continuous opacity monitoring system, Method 9, and Method 22 results, as well as information about operation and maintenance to determine compliance.	Yes.
§ 63.6(h)(9)	Adjusted Opacity Standard	Procedures for Administrator to adjust an opacity standard.	Yes.
§ 63.6(i)(1)-(14)	Compliance Extension	Procedures and criteria for Administrator to grant compliance extension.	Yes.
§ 63.6(j)	Presidential Compliance Exemption	President may exempt source category from requirement to comply with rule.	Yes.
§ 63.7(a)(1)	Performance Test Dates	Dates for Conducting Initial Performance Testing and Other Compliance Demonstrations.	Yes.

§ 63.7(a)(2)	Performance Test Dates	Yes.	New source with initial startup date before effective date has 180 days after effective date to demonstrate compliance
[Reserved]			
§ 63.7(a)(2)(ii-vii)	Performance Test Dates	Yes.	1. New source that commenced construction between proposal and promulgation dates, when promulgated standard is more stringent than proposed standard, has 180 days after effective date or 180 days after startup of source, whichever is later, to demonstrate compliance; and.
§ 63.7(a)(2)(ix)		No.	2. If source initially demonstrates compliance with less stringent proposed standard, it has 3 years and 180 days after the effective date of the standard or 180 days after startup of source, whichever is later, to demonstrate compliance with promulgated standard.
§ 63.7(a)(3)	Section 114 Authority	Yes.	Administrator may require a performance test under CAA Section 114 at any time.
§ 63.7(b)(1)	Notification of Performance Test	No.	Must notify Administrator 60 days before the test
§ 63.7(b)(2)	Notification of Rescheduling	Yes.	If rescheduling a performance test is necessary, must notify Administrator 5 days before scheduled date of rescheduled date.
§ 63.7(c)	Quality Assurance/Test Plan	Yes.	Requirement to submit site-specific test plan 60 days before the test or on date Administrator agrees with test plan approval procedures; and performance audit requirements; and internal and external QA procedures for testing.
§ 63.7(d)	Testing Facilities	Yes.	Requirements for testing facilities
§ 63.7(e)(1)	Conditions for Conducting Performance Tests	No.	1. Performance tests must be conducted under representative conditions; and
		Yes.	2. Cannot conduct performance tests during SSM; and
		Yes.	3. Not a deviation to exceed standard during SSM; and
		Yes.	4. Upon request of Administrator, make available records necessary to determine conditions of performance tests.
§ 63.7(e)(2)	Conditions for Conducting Performance Tests	Yes.	Must conduct according to rule and EPA test methods unless Administrator approves alternative.
§ 63.7(e)(3)	Test Run Duration	Yes.	Must have three separate test runs; and Compliance is based on arithmetic mean of three runs; and conditions when data from an additional test run can be used.
§ 63.7(e)(4)	Interaction with other sections of the Act	Yes.	Nothing in § 63.7(e)(1) through (4) can abrogate the Administrator's authority to require testing under Section 114 of the Act
§ 63.7(f)	Alternative Test Method	Yes.	Procedures by which Administrator can grant approval to use an alternative test method.
§ 63.7(g)	Performance Test Data Analysis	Yes.	Must include raw data in performance test report; and must submit performance test data 60 days after end of test with the Notification of Compliance Status; and keep data for 5 years.

As stated in § 63.7565, you must comply with the applicable General Provisions according to the following:

Citation	Subject	Brief description	Applicable
§ 63.7(h)	Waiver of Tests	Procedures for Administrator to waive performance test.	Yes.
§ 63.8(a)(1)	Applicability of Monitoring Requirements	Subject to all monitoring requirements in standard	Yes.
§ 63.8(a)(2)	Performance Specifications	Performance Specifications in appendix B of part 60 apply.	Yes.
§ 63.8(a)(3)	[Reserved]		
§ 63.8(a)(4)	Monitoring with Flares	Unless your rule says otherwise, the requirements for flares in § 63.11 apply.	No.
§ 63.8(b)(1)(i)-(ii)	Monitoring	Must conduct monitoring according to standard unless Administrator approves alternative.	Yes.
§ 63.8(b)(1)(iii)	Monitoring	Flares not subject to this section unless otherwise specified in relevant standard.	No.
§ 63.8(b)(2)-(3)	Multiple Effluents and Multiple Monitoring Systems	Specific requirements for installing monitoring systems; and must install on each effluent before it is combined and before it is released to the atmosphere unless Administrator approves otherwise; and if more than one monitoring system on an emission point, must report all monitoring system results, unless one monitoring system is a backup.	Yes.
§ 63.8(c)(1)	Monitoring System Operation and Maintenance	Maintain monitoring system in a manner consistent with good air pollution control practices.	Yes.
§ 63.8(c)(1)(i)	Routine and Predictable SSM	Maintain and operate CMS according to § 63.6(e)(1)	Yes.
§ 63.8(c)(1)(ii)	SSM not in SSMP	Must keep necessary parts available for routine repairs of CMSs.	Yes.
§ 63.8(c)(1)(iii)	Compliance with Operation and Maintenance Requirements.	Must develop and implement an SSMP for CMSs	Yes.
§ 63.8(c)(2)-(3)	Monitoring System Installation	Must install to get representative emission and parameter measurements; and must verify operational status before or at performance test.	Yes.
§ 63.8(c)(4)	Continuous Monitoring System (CMS) Requirements	CMSs must be operating except during breakdown, out-of-control, repair, maintenance, and high-level calibration drifts.	No.
§ 63.8(c)(4)(i)	Continuous Monitoring System (CMS) Requirements	Continuous opacity monitoring system must have a minimum of one cycle of sampling and analysis for each successive 10-second period and one cycle of data recording for each successive 6-minute period.	Yes.
§ 63.8(c)(4)(ii)	Continuous Monitoring System (CMS) Requirements	Continuous emissions monitoring system must have a minimum of one cycle of operation for each successive 15-minute period.	No.
§ 63.8(c)(5)	Continuous Opacity Monitoring system (COMS) Requirements.	Must do daily zero and high level calibrations	Yes.
§ 63.8(c)(6)	Continuous Monitoring System (CMS) Requirements	Must do daily zero and high level calibrations	No.
§ 63.8(c)(7)-(8)	Continuous Monitoring Systems Requirements	Out-of-control periods, including reporting	Yes.

§ 63.8(d)	Continuous Monitoring Systems Quality Control	Requirements for continuous monitoring systems quality control, including calibration, etc., and must keep quality control plan on record for the life of the affected source. Keep old versions for 5 years after revisions.	Yes.
§ 63.8(e)	Continuous monitoring systems Performance Evaluation.	Notification, performance evaluation test plan, reports	Yes.
§ 63.8(f)(1)-(5)	Alternative Monitoring Method	Procedures for Administrator to approve alternative monitoring.	Yes.
§ 63.8(f)(6)	Alternative to Relative Accuracy Test	Procedures for Administrator to approve alternative relative accuracy tests for continuous emissions monitoring system.	No.
§ 63.8(g)(1)-(4)	Data Reduction	Continuous opacity monitoring system 8-minute averages calculated over at least 36 evenly spaced data points; and continuous emissions monitoring system 1-hour averages computed over at least 4 equally spaced data points.	Yes.
§ 63.8(g)(5)	Data Reduction	Data that cannot be used in computing averages for continuous emissions monitoring system and continuous opacity monitoring system.	No.
§ 63.9(a)	Notification Requirements	Applicability and State Delegation	Yes.
§ 63.9(b)(1)-(5)	Initial Notifications	Submit notification 120 days after effective date; and Notification of intent to construct/reconstruct; and Notification of commencement of construct/reconstruct; Notification of startup; and Contents of each.	Yes.
§ 63.9(c)	Request for Compliance Extension	Can request if cannot comply by date of if installed BACT/LAER.	Yes.
§ 63.9(d)	Notification of Special Compliance Requirements for New Source.	For sources that commence construction between proposal and promulgation and want to comply 3 years after effective date.	Yes.
§ 63.9(e)	Notification of Performance Test	Notify Administrator 60 days prior	No.
§ 63.9(f)	Notification of VE/Opacity Test	Notify Administrator 90 days prior	No.
§ 63.9(g)	Additional Notifications When Using Continuous Monitoring Systems.	Notification of performance evaluator; and notification using continuous opacity monitoring system data; and notification that exceeded criterion for relative accuracy.	Yes.
§ 63.9(h)(1)-(6)	Notification of Compliance Status	Contents; and due 60 days after end of performance test or other compliance demonstration, and when to submit to Federal vs. State authority.	Yes.
§ 63.9(i)	Adjustment of Submittal Deadlines	Procedures for Administrator to approve change in when notifications must be submitted.	Yes.
§ 63.9(j)	Change in Previous Information	Must submit within 15 days after the change	Yes.
§ 63.10(a)	Recordkeeping/Reporting	Applies to all, unless compliance extension; and when to submit to Federal vs. State authority; and procedures for owners of more than 1 source.	Yes.
§ 63.10(b)(1)	Recordkeeping/Reporting	General Requirements; and keep all records readily available and keep for 5 years.	Yes.

As stated in § 63.7565, you must comply with the applicable General Provisions according to the following:

Citation	Subject	Brief description	Applicable
§ 63.10(b)(2)(i)-(v)	Records related to Startup, Shutdown, and Malfunction	Occurrence of each of operation (process, equipment); and occurrence of each malfunction of air pollution equipment; and maintenance of air pollution control equipment; and actions during startup, shutdown, and malfunction.	Yes.
§ 63.10(b)(2)(vi) and (x-xi)	Continuous monitoring systems Records	Malfunctions, inoperative, out-of-control; and calibration checks; and adjustments, maintenance.	Yes.
§ 63.10(b)(2)(vii)-(ix)	Records	Measurements to demonstrate compliance with emission limitations; and performance test, performance evaluation, and visible emission observation results; and measurements to determine conditions of performance tests and performance evaluations.	Yes.
§ 63.10(b)(2)(xii)	Records	Records when under waiver	Yes.
§ 63.10(b)(2)(xiii)	Records	Records when using alternative to relative accuracy test.	No.
§ 63.10(b)(2)(xiv)	Records	All documentation supporting Initial Notification and Notification of Compliance Status.	Yes.
§ 63.10(b)(3)	Records	Applicability Determinations	Yes.
§ 63.10(c)(1),(5)-(8),(10)-(15)	Records	Additional Records for continuous monitoring systems	Yes.
§ 63.10(c)(7)-(8)	Records	Records of excess emissions and parameter monitoring exceedances for continuous monitoring systems.	No.
§ 63.10(d)(1)	General Reporting Requirements	Requirement to report	Yes.
§ 63.10(d)(2)	Report of Performance Test Results	When to submit to Federal or State authority	Yes.
§ 63.10(d)(3)	Reporting Opacity or VE Observations	What to report and when	Yes.
§ 63.10(d)(4)	Progress Reports	Must submit progress reports on schedule if under compliance extension.	Yes.
§ 63.10(d)(5)	Startup, Shutdown, and Malfunction Reports	Contents and submission	Yes.
§ 63.10(e)(1)(2)	Additional continuous monitoring systems Reports	Must report results for each CEM on a unit; and written copy of performance evaluation; and 3 copies of continuous opacity monitoring system performance evaluation.	Yes.
§ 63.10(e)(3)	Reports	Excess Emission Reports	No.
§ 63.10(e)(3)(i-iii)	Reports	Schedule for reporting excess emissions and parameter monitor exceedance (now defined as deviations).	No.
§ 63.10(e)(3)(iv-v)	Excess Emissions Reports	Requirement to revert to quarterly submission if there is an excess emissions and parameter monitor exceedance (now defined as deviations); and provision to request semiannual reporting after compliance for one year; and submit report by 30th day following end of quarter or calendar half; and if there has not been an exceedance or excess emission (now defined as deviations), report contents is a statement that there have been no deviations.	No.

		No.
§ 63.10(e)(3)(iv-v)	Excess Emissions Reports	No.
§ 63.10(e)(3)(vi-viii)	Excess Emissions Report and Summary Report	No.
§ 63.10(e)(4)	Reporting continuous opacity monitoring system data	Yes.
§ 63.10(f)	Waiver for Recordkeeping/Reporting	Yes.
§ 63.11	Flares	No.
§ 63.12	Delegation	Yes.
§ 63.13	Addresses	Yes.
§ 63.14	Incorporation by Reference	Yes.
§ 63.15	Availability of Information	Yes.

APPENDIX A TO SUBPART DDDDD—
METHODOLOGY AND CRITERIA FOR
DEMONSTRATING ELIGIBILITY FOR
THE HEALTH-BASED COMPLIANCE AL-
TERNATIVES SPECIFIED FOR THE
LARGE SOLID FUEL SUBCATEGORY

I. PURPOSE/INTRODUCTION

This appendix provides the methodology and criteria for demonstrating that your affected source is eligible for the compliance alternative for the HCl emission limit and/or the total selected metals (TSM) emission limit. This appendix specifies emissions testing methods that you must use to determine HCl, chlorine, and manganese emissions from the affected units and what parts of the affected source facility must be included in the eligibility demonstration. You must demonstrate that your affected source is eligible for the health-based compliance alternatives using either a look-up table analysis (based on the look-up tables included in this appendix) or a site-specific compliance demonstration performed according to the criteria specified in this appendix. This appendix also specifies how and when you file any eligibility demonstrations for your affected source and how to show that your affected source remains eligible for the health-based compliance alternatives in the future.

2. WHO IS ELIGIBLE TO DEMONSTRATE THAT THEY QUALIFY FOR THE HEALTH-BASED COMPLIANCE ALTERNATIVES?

Each new, reconstructed, or existing affected source may demonstrate that they are eligible for the health-based compliance alternatives. Section 63.7490 of subpart DDDDD defines the affected source and explains which affected sources are new, existing, or reconstructed.

3. WHAT PARTS OF MY FACILITY HAVE TO BE INCLUDED IN THE HEALTH-BASED ELIGIBILITY DEMONSTRATION?

If you are attempting to determine your eligibility for the compliance alternative for HCl, you must include every emission point subject to subpart DDDDD that emits either HCl or Cl₂ in the eligibility demonstration.

If you are attempting to determine your eligibility for the compliance alternative for TSM, you must include every emission point subject to subpart DDDDD that emits manganese in the eligibility demonstration.

4. HOW DO I DETERMINE HAP EMISSIONS FROM MY AFFECTED SOURCE?

(a) You must conduct HAP emissions tests or fuel analysis for every emission point cov-

ered under subpart DDDDD within the affected source facility according to the requirements in paragraphs (b) through (f) of this section and the methods specified in Table 1 of this appendix.

(1) If you are attempting to determine your eligibility for the compliance alternative for HCl, you must test the subpart DDDDD units at your facility for both HCl and Cl₂. When conducting fuel analysis, you must assume any chlorine detected will be emitted as Cl₂.

(2) If you are attempting to determine your eligibility for the compliance alternative for TSM, you must test the subpart DDDDD units at your facility for manganese.

(b) *Periods when emissions tests must be conducted.*

(1) You must not conduct emissions tests during periods of startup, shutdown, or malfunction, as specified in §63.7(e)(1).

(2) You must test under worst-case operating conditions as defined in this appendix. You must describe your worst-case operating conditions in your performance test report for the process and control systems (if applicable) and explain why the conditions are worst-case.

(c) *Number of test runs.* You must conduct three separate test runs for each test required in this section, as specified in §63.7(e)(3). Each test run must last at least 1 hour.

(d) *Sampling locations.* Sampling sites must be located at the outlet of the control device and prior to any releases to the atmosphere.

(e) *Collection of monitoring data for HAP control devices.* During the emissions test, you must collect operating parameter monitoring system data at least every 15 minutes during the entire emissions test and establish the site-specific operating requirements in Tables 3 or 4, as appropriate, of subpart DDDDD using data from the monitoring system and the procedures specified in §63.7530 of subpart DDDDD.

(f) *Nondetect data.* You may treat emissions of an individual HAP as zero if all of the test runs result in a nondetect measurement and the condition in paragraph (f)(1) of this section is met for the manganese test method. Otherwise, nondetect data for individual HAP must be treated as one-half of the method detection limit.

(1) For manganese measured using Method 29 in appendix A to 40 CFR part 60, you analyze samples using atomic absorption spectroscopy (AAS).

(g) You must determine the maximum hourly emission rate for each appropriate emission point according to Equation 1 of this appendix.

$$\text{Max Hourly Emissions} = \sum_{i=1}^n (\text{Er} \times \text{Hm}) \quad (\text{Eq. 1})$$

Where:

Max Hourly Emissions = Maximum hourly emissions for hydrogen chloride, chlorine, or manganese, in units of pounds per hour.

Er = Emission rate (the 3-run average as determined according to Table 1 of this appendix or the pollutant concentration in the fuel samples analyzed according to §63.7521) for hydrogen chloride, chlorine, or manganese, in units of pounds per million Btu of heat input.

Hm = Maximum rated heat input capacity of appropriate emission point, in units of million Btu per hour.

5. WHAT ARE THE CRITERIA FOR DETERMINING IF MY FACILITY IS ELIGIBLE FOR THE HEALTH-BASED COMPLIANCE ALTERNATIVES?

(a) Determine the HAP emissions from each appropriate emission point within the affected source facility using the procedures specified in section 4 of this appendix.

(b) Demonstrate that your facility is eligible for either of the health-based compliance alternatives using either the methods described in section 6 of this appendix (look-up table analysis) or section 7 of this appendix (site-specific compliance demonstration).

(c) Your facility is eligible for the health-based compliance alternative for HCl if one of the following two statements is true:

(1) The calculated HCl-equivalent emission rate is below the appropriate value in the look-up table;

(2) Your site-specific compliance demonstration indicates that your maximum HI for HCl and Cl₂ at a location where people live is less than or equal to 1.0;

(d) Your facility is eligible for the health-based compliance alternative for TSM if one of the following two statements is true:

(1) The manganese emission rate for all your subpart DDDDD sources is below the appropriate value in the look-up table;

(2) Your site-specific compliance demonstration indicates that your maximum HQ for manganese at a location where people live is less than or equal to 1.0.

6. HOW DO I CONDUCT A LOOK-UP TABLE ANALYSIS?

You may use look-up tables to demonstrate that your facility is eligible for either the compliance alternative for the HCl emission limit or the compliance alternative for TSM emission limit.

(a) *HCl health-based compliance alternative.*

(1) To calculate the total toxicity-weighted HCl-equivalent emission rate for your facility, first calculate the total affected source emission rate of HCl by summing the maximum hourly HCl emission rates from all your subpart DDDDD sources. Then, similarly, calculate the total affected source emission rate for Cl₂. Finally, calculate the toxicity-weighted emission rate (expressed in HCl equivalents) according to Equation 2 of this appendix.

$$\text{ER}_{\text{tw}} = \sum (\text{ER}_i \times (\text{RfC}_{\text{HCl}} / \text{RfC}_i)) \quad (\text{Eq. 2})$$

Where:

ER_{tw} is the HCl-equivalent emission rate, lb/hr.

ER_i is the emission rate of HAP i in lbs/hr

RfC_i is the reference concentration of HAP i

RfC_{HCl} is the reference concentration of HCl

(RfCs for HCl and Cl₂ can be found at <http://www.epa.gov/ttn/atw/toxsource/summary.html>).

(2) The calculated HCl-equivalent emission rate will then be compared to the appropriate allowable emission rate in Table 2 of this appendix. To determine the correct value from the table, an average value for the appropriate subpart DDDDD emission points should be used for stack height and

the minimum distance between any appropriate subpart DDDDD stack at the facility and the property boundary should be used for property boundary distance. Appropriate emission points and stacks are those that emit HCl and/or Cl₂. If one or both of these values does not match the exact values in the look-up tables, then use the next lowest table value. (NOTE: If your average stack height is less than 5 meters, you must use the 5 meter row.) Your facility is eligible to comply with the health-based alternative HCl emission limit if your toxicity-weighted HCl equivalent emission rate, determined using the methods specified in this appendix.

does not exceed the appropriate value in Table 2 of this appendix.

(b) *TSM Compliance Alternative.* To calculate the total manganese emission rate for your affected source, sum the maximum hourly manganese emission rates for all your subpart DDDDD sources. The calculated manganese emission rate will then be compared to the allowable emission rate in the Table 3 of this appendix. To determine the correct value from the table, an average value for the appropriate subpart DDDDD emission points should be used for stack height and the minimum distance between any appropriate subpart DDDDD stack at the facility and the property boundary should be used for property boundary distance. Appropriate emission points and stacks are those that emit manganese. If one or both of these values does not match the exact values in the lookup tables, then use the next lowest table value. (NOTE: If your average stack height is less than 5 meters, you must use the 5 meter row.) Your facility may exclude manganese when demonstrating compliance with the TSM emission limit if your manganese emission rate, determined using the methods specified in this appendix, does not exceed the appropriate value specified in Table 3 of this appendix.

7. HOW DO I CONDUCT A SITE-SPECIFIC COMPLIANCE DEMONSTRATION?

If you fail to demonstrate that your facility is able to comply with one or both of the alternative health-based emission standards using the look-up table approach, you may choose to perform a site-specific compliance demonstration for your facility. You may use any scientifically-accepted peer-reviewed risk assessment methodology for your site-specific compliance demonstration. An example of one approach for performing a site-specific compliance demonstration for air toxics can be found in the EPA's "Air Toxics Risk Assessment Reference Library, Volume 2, Site-Specific Risk Assessment Technical Resource Document", which may be obtained through the EPA's Air Toxics Web site at http://www.epa.gov/ttn/fera/risk_atoxic.html.

(a) Your facility is eligible for the HCl alternative compliance option if your site-specific compliance demonstration shows that the maximum HI for HCl and Cl₂ from your subpart DDDDD sources is less than or equal to 1.0.

(b) Your facility is eligible for the TSM alternative compliance option if your site-specific compliance demonstration shows that the maximum HQ for manganese from your subpart DDDDD sources is less than or equal to 1.0.

(c) At a minimum, your site-specific compliance demonstration must:

(1) Estimate long-term inhalation exposures through the estimation of annual or multi-year average ambient concentrations;

(2) Estimate the inhalation exposure for the individual most exposed to the facility's emissions;

(3) Use site-specific, quality-assured data wherever possible;

(4) Use health-protective default assumptions wherever site-specific data are not available, and;

(5) Contain adequate documentation of the data and methods used for the assessment so that it is transparent and can be reproduced by an experienced risk assessor and emissions measurement expert.

(d) Your site-specific compliance demonstration need not:

(1) Assume any attenuation of exposure concentrations due to the penetration of outdoor pollutants into indoor exposure areas;

(2) Assume any reaction or deposition of the emitted pollutants during transport from the emission point to the point of exposure.

8. WHAT MUST MY HEALTH-BASED ELIGIBILITY DEMONSTRATION CONTAIN?

(a) Your health-based eligibility demonstration must contain, at a minimum, the information specified in paragraphs (a)(1) through (f) of this section.

(1) Identification of each appropriate emission point at the affected source facility, including the maximum rated capacity of each appropriate emission point.

(2) Stack parameters for each appropriate emission point including, but not limited to, the parameters listed in paragraphs (a)(2)(i) through (iv) below:

(i) Emission release type.

(ii) Stack height, stack area, stack gas temperature, and stack gas exit velocity.

(iii) Plot plan showing all emission points, nearby residences, and fence line.

(iv) Identification of any control devices used to reduce emissions from each appropriate emission point.

(3) Emission test reports for each pollutant and appropriate emission point which has been tested using the test methods specified in Table 1 of this appendix, including a description of the process parameters identified as being worst case. Fuel analyses for each fuel and emission point which has been conducted including collection and analytical methods used.

(4) Identification of the RFC values used in your look-up table analysis or site-specific compliance demonstration.

(5) Calculations used to determine the HCl-equivalent or manganese emission rates according to sections 6(a) or (b) of this appendix.

(6) Identification of the controlling process factors (including, but not limited to, fuel type, heat input rate, type of control devices, process parameters reflecting the

emissions rates used for your eligibility demonstration) that will become Federally enforceable permit conditions used to show that your facility remains eligible for the health-based compliance alternatives.

(b) If you use the look-up table analysis in section 6 of this appendix to demonstrate that your facility is eligible for either health-based compliance alternative, your eligibility demonstration must contain, at a minimum, the information in paragraphs (a) and (b)(1) through (3) of this section.

(1) Calculations used to determine the average stack height of the subpart DDDDD emission points that emit either manganese or HCl and Cl₂.

(2) Identification of the subpart DDDDD emission point, that emits either manganese or HCl and Cl₂, with the minimum distance to the property boundary of the facility.

(3) Comparison of the values in the look-up tables (Tables 2 and 3 of this appendix) to your maximum HCl-equivalent or manganese emission rates.

(c) If you use a site-specific compliance demonstration as described in section 7 of this appendix to demonstrate that your facility is eligible, your eligibility demonstration must contain, at a minimum, the information in paragraphs (a) and (c)(1) through (7) of this section:

(1) Identification of the risk assessment methodology used.

(2) Documentation of the fate and transport model used.

(3) Documentation of the fate and transport model inputs, including the information described in paragraphs (a)(1) through (5) of this section converted to the dimensions required for the model and all of the following that apply: meteorological data; building, land use, and terrain data; receptor locations and population data; and other facility-specific parameters input into the model.

(4) Documentation of the fate and transport model outputs.

(5) Documentation of any exposure assessment and risk characterization calculations.

(6) Comparison of the HQ HI to the limit of 1.0.

9. WHEN DO I HAVE TO COMPLETE AND SUBMIT MY HEALTH-BASED ELIGIBILITY DEMONSTRATION?

(a) If you have an existing affected source, you must complete and submit your eligibility demonstration to your permitting authority, along with a signed certification that the demonstration is an accurate depiction of your facility, no later than the date one year prior to the compliance date of subpart DDDDD. A separate copy of the eligibility demonstration must be submitted to: U.S. EPA, Risk and Exposure Assessment Group, Emission Standards Division (C404-01), Attn: Group Leader, Research Triangle

Park, North Carolina 27711, electronic mail address REAC@epa.gov.

(b) If you have a new or reconstructed affected source that starts up before the effective date of subpart DDDDD, or an affected source that is an area source that increases its emissions or its potential to emit such that it becomes a major source of HAP before the effective date of subpart DDDDD, then you must comply with the requirements of subpart DDDDD until your eligibility demonstration is completed and submitted to your permitting authority.

(c) If you have a new or reconstructed affected source that starts up after the effective date of subpart DDDDD, or an affected source that is an area source that increases its emissions or its potential to emit such that it becomes a major source of HAP after the effective date for subpart DDDDD, then you must follow the schedule in paragraphs (c)(1) and (2) of this section.

(1) You must complete and submit a preliminary eligibility demonstration based on the information (e.g., equipment types, estimated emission rates, etc.) used to obtain your title V permit. You must base your preliminary eligibility demonstration on the maximum emissions allowed under your title V permit. If the preliminary eligibility demonstration indicates that your affected source facility is eligible for either compliance alternative, then you may start up your new affected source and your new affected source will be considered in compliance with the alternative HCl standard and subject to the compliance requirements in this appendix or, in the case of manganese, your compliance demonstration with the TSM emission limit is based on 7 metals (excluding manganese).

(2) You must conduct the emission tests or fuel analysis specified in section 4 of this appendix upon initial startup and use the results of these emissions tests to complete and submit your eligibility demonstration within 180 days following your initial startup date. To be eligible, you must meet the criteria in section 11 of this appendix within 18 months following initial startup of your affected source.

10. WHEN DO I BECOME ELIGIBLE FOR THE HEALTH-BASED COMPLIANCE ALTERNATIVES?

To be eligible for either health-based compliance alternative, the parameters that defined your affected source as eligible for the health-based compliance alternatives (including, but not limited to, fuel type, fuel mix (annual average), type of control devices, process parameters reflecting the emissions rates used for your eligibility demonstration) must be submitted for incorporation as Federally enforceable limits into your title V permit. If you do not meet these criteria, then your affected source is subject to the applicable emission limits, operating

limits, and work practice standards in Subpart DDDDD.

the information specified in section 8 of this appendix.

11. HOW DO I ENSURE THAT MY FACILITY REMAINS ELIGIBLE FOR THE HEALTH-BASED COMPLIANCE ALTERNATIVES?

13. DEFINITIONS

(a) You must update your eligibility demonstration and resubmit it each time you have a process change, such that any of the parameters that defined your affected source changes in a way that could result in increased HAP emissions (including, but not limited to, fuel type, fuel mix (annual average), change in type of control device, changes in process parameters documented as worst-case conditions during the emissions testing used for your approved eligibility demonstration).

The definitions in §63.7575 of subpart DDDDD apply to this appendix. Additional definitions applicable for this appendix are as follows:

Hazard Index (HI) means the sum of more than one hazard quotient for multiple substances and/or multiple exposure pathways.

Hazard Quotient (HQ) means the ratio of the predicted media concentration of a pollutant to the media concentration at which no adverse effects are expected. For inhalation exposures, the HQ is calculated as the air concentration divided by the RfC.

(b) If you are updating your eligibility demonstration to account for an action in paragraph (a) of this section, then you must perform emission testing or fuel analysis according to section 4 of this appendix for the subpart DDDDD emission points that may have increased HAP emissions beyond the levels reflected in your previously approved eligibility demonstration due to the process change. You must submit your revised eligibility demonstration to the permitting authority prior to revising your permit to incorporate the process change. If your updated eligibility demonstration indicates that your affected source is no longer eligible for the health-based compliance alternatives, then you must comply with the applicable emission limits, operating limits, and compliance requirements in Subpart DDDDD prior to making the process change and revising your permit.

Look-up table analysis means a risk screening analysis based on comparing the HAP or HAP-equivalent emission rate from the affected source to the appropriate maximum allowable HAP or HAP-equivalent emission rates specified in Tables 2 and 3 of this appendix.

Reference Concentration (RfC) means an estimate (with uncertainty spanning perhaps an order of magnitude) of a continuous inhalation exposure to the human population (including sensitive subgroups) that is likely to be without an appreciable risk of deleterious effects during a lifetime. It can be derived from various types of human or animal data, with uncertainty factors generally applied to reflect limitations of the data used.

Worst-case operating conditions means operation of an affected unit during emissions testing under the conditions that result in the highest HAP emissions or that result in the emissions stream composition (including HAP and non-HAP) that is most challenging for the control device if a control device is used. For example, worst-case conditions could include operation of an affected unit firing solid fuel likely to produce the most HAP.

12. WHAT RECORDS MUST I KEEP?

You must keep records of the information used in developing the eligibility demonstration for your affected source, including all of

TABLE 1 TO APPENDIX B OF SUBPART DDDDD—EMISSION TEST METHODS

For . . .	You must . . .	Using . . .
(1) Each subpart DDDDD emission point for which you choose to use a compliance alternative.	Select sampling ports' location and the number of traverse points.	Method 1 of 40 CFR part 60, appendix A.
(2) Each subpart DDDDD emission point for which you choose to use a compliance alternative.	Determine velocity and volumetric flow rate.	Method 2, 2F, or 2G in appendix A to 40 CFR part 60.
(3) Each subpart DDDDD emission point for which you choose to use a compliance alternative.	Conduct gas molecular weight analysis . .	Method 3A or 3B in appendix A to 40 CFR part 60.
(4) Each subpart DDDDD emission point for which you choose to use a compliance alternative.	Measure moisture content of the stack gas.	Method 4 in appendix A to 40 CFR part 60.
(5) Each subpart DDDDD emission point for which you choose to use the HCl compliance alternative.	Measure the hydrogen chloride and chlorine emission concentrations.	Method 26 or 26A in appendix A to 40 CFR part 60.
(6) Each subpart DDDDD emission point for which you choose to use the TSM compliance alternative.	Measure the manganese emission concentration.	Method 29 in appendix A to 40 CFR part 60.

TABLE 1 TO APPENDIX B OF SUBPART DDDDD—EMISSION TEST METHODS—Continued

For . . .	You must . . .	Using . . .
(7) Each subpart DDDDD emission point for which you choose to use a compliance alternative.	Convert emissions concentration to lb per MMBtu emission rates.	Method 19 F-factor methodology in appendix A to part 60 of this chapter.

TABLE 2 TO APPENDIX A OF SUBPART DDDDD—ALLOWABLE TOXICITY-WEIGHTED EMISSION RATE EXPRESSED IN HCl EQUIVALENTS (lbs/hr)

Stack ht. (m)	Distance to property boundary (m)											
	0	50	100	150	200	250	500	1000	1500	2000	3000	5000
5	114.9	114.9	114.9	114.9	114.9	114.9	144.3	287.3	373.0	373.0	373.0	373.0
10	188.5	188.5	188.5	188.5	188.5	188.5	195.3	328.0	432.5	432.5	432.5	432.5
20	386.1	386.1	386.1	386.1	386.1	386.1	386.1	425.4	580.0	602.7	602.7	602.7
30	396.1	396.1	396.1	396.1	396.1	396.1	396.1	436.3	596.2	690.6	807.8	816.5
40	408.1	408.1	408.1	408.1	408.1	408.1	408.1	448.2	613.3	715.5	832.2	966.0
50	421.4	421.4	421.4	421.4	421.4	421.4	421.4	460.6	631.0	746.3	858.2	1002.8
60	435.5	435.5	435.5	435.5	435.5	435.5	435.5	473.4	649.0	778.6	885.0	1043.4
70	450.2	450.2	450.2	450.2	450.2	450.2	450.2	486.6	667.4	813.8	912.4	1087.4
80	465.5	465.5	465.5	465.5	465.5	465.5	465.5	500.0	685.9	849.8	940.9	1134.8
100	497.5	497.5	497.5	497.5	497.5	497.5	497.5	527.4	723.6	917.1	1001.2	1241.3
200	677.3	677.3	677.3	677.3	677.3	677.3	677.3	682.3	919.8	1167.1	1390.4	1924.6

TABLE 3 TO APPENDIX A OF SUBPART DDDDD—ALLOWABLE MANGANESE EMISSION RATE (lbs/hr)

Stack ht. (m)	Distance to property boundary (m)											
	0	50	100	150	200	250	500	1000	1500	2000	3000	5000
5	0.29	0.29	0.29	0.29	0.29	0.29	0.36	0.72	0.93	0.93	0.93	0.94
10	0.47	0.47	0.47	0.47	0.47	0.47	0.49	0.82	1.08	1.08	1.08	1.08
20	0.97	0.97	0.97	0.97	0.97	0.97	0.97	1.06	1.45	1.51	1.51	1.51
30	0.99	0.99	0.99	0.99	0.99	0.99	0.99	1.09	1.49	1.72	2.02	2.04
40	1.02	1.02	1.02	1.02	1.02	1.02	1.02	1.12	1.53	1.79	2.08	2.42
50	1.05	1.05	1.05	1.05	1.05	1.05	1.05	1.15	1.58	1.87	2.15	2.51
60	1.09	1.09	1.09	1.09	1.09	1.09	1.09	1.18	1.62	1.95	2.21	2.61
70	1.13	1.13	1.13	1.13	1.13	1.13	1.13	1.22	1.67	2.03	2.28	2.72
80	1.16	1.16	1.16	1.16	1.16	1.16	1.16	1.25	1.71	2.12	2.35	2.84
100	1.24	1.24	1.24	1.24	1.24	1.24	1.24	1.32	1.81	2.29	2.50	3.10
200	1.69	1.69	1.69	1.69	1.69	1.69	1.69	1.71	2.30	2.92	3.48	4.81

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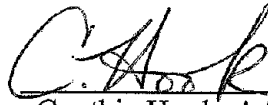
40 CFR Ch. I (7-1-05 Edition)



CERTIFICATE OF SERVICE

I, Cynthia Hook, hereby certify that a copy of this permit has been mailed by first class mail to
Armtec Countermeasures Arkansas Operations, PO Box 3297, East Camden, AR, 71711, on this

5th day of September, 2007.



Cynthia Hook, AAIL, Air Division

